

# Hawaiian Gazette.

VOL. XXXVIII, No. 58.

HONOLULU, H. T., FRIDAY, JULY 17, 1903—SEMI-WEEKLY.

WHOLE No. 2504.

## THE MERCHANTS TALK ON TAXES AND TOURISTS

### Tests Will Be Made In the Courts of Pratt's Inventory Value Assessment.

### Tourist Committee To Be Increased and Work Started In Earnest—Merchants Asked To Aid Flood Sufferers.

Tourists and taxes formed the chief topics for discussion at the meeting of the Merchants' Association held yesterday afternoon. The tourist committee is to be increased if the Chamber of Commerce approves and the work of attracting tourists to the islands will go on without delay.

The discussion of taxation methods ended in a resolution providing for test cases on behalf of the Association for ascertaining the Supreme Court's views on the cash or inventory value of stocks of merchandise. Catton, Neill & Co., and Wilder's Steamship Co., will make the appeals, the Merchants' Association to bear the expense.

#### THE TOURIST PLANS.

W. W. Hall reported for the tourist committee on the interview had with Secretary Carter and Treasurer Kepolai. He said that assurance had been given that the appropriation of \$25,000 was available. The committee had not gone into particulars as regards the spending of money, but had agreed that running expenses, such as room rent, secretary, etc., should not come out of the government fund. The fund to be used for this purpose is to be derived from the merchant's tax. Mr. Hall stated that the committee intended to advertise by means of posters and other books which are to be scattered all over the United States through the steamship and railroad companies.

#### REIMBURSEMENT OF MERCHANTS.

In response to a question from the chairman, G. W. Smith, the vice-president, F. W. Macfarlane stated that the appropriation for reimbursement of the association for expenses of Pratt to Washington had failed to pass. It had been knocked out near the end of the session.

The cablegrams sent by the Association upon the opening of the Manila line were read, as well as the answers received.

#### KANSAS WANTS HELP.

Secretary Helm read a letter from the Merchants' and Mutual Association of Kansas City asking for aid on behalf of the merchants of Armourdale who had been wiped out by the flood. A contribution of one dollar by each member was requested. Upon motion of Mr. Macfarlane the secretary was instructed to write to the San Francisco Association with a request for information as to the genuineness of the appeal and the need for aid.

#### MORE ABOUT ADVERTISING.

A letter was next read from C. R. Frazier of the Pioneer Advertising Co., offering to the association 1,000 copies of his book on Hawaii at fifteen cents per copy, on condition that they were distributed free of charge. For over 1,000 copies the price is to be twelve cents provided that the order goes in at the same time as that for the 50,000 copies for the Territory. This letter was referred to the Tourist Committee.

J. A. Gilman for the Tourist Committee stated that it was the intention of the committee to issue smaller pamphlets for free distribution, but that if anyone wanted detailed information then such a book as Frazier's

could be sent. For this a nominal charge of ten cents per copy should be made. Lighter literature and folders were to be sent out free. Mr. Gilman suggested also that the committee be allowed to increase its membership as with the broadening of the plans there was more work and the present committee was too small. Finally upon motion of C. S. Wight a resolution was passed authorizing an increase of the joint committee when the emergency requires, the resolution first to have the approval of the Chamber of Commerce.

#### THE MATTER OF TAXES.

Mr. F. W. Macfarlane reported upon the interview the directors had had with Assessor Pratt over the question of taxation of merchandise. The directors contended that the inventory value was not the cash value, while Pratt claimed that it was. Mr. Macfarlane also quoted an opinion by Attorney Lewis to the effect that no test case could be brought by the association, but must be by an individual or a corporation.

There was a lengthy discussion on the matter, the view being taken that the assessment was not proper at the inventory value. It was stated that in Portland forty per cent of the inventory is taken as the cash value, while in San Francisco it is sixty per cent.

It was stated also that under the former governments a deduction of thirty-three and a third per cent was allowed as a basis for the cash value, this being taken as what a stock of merchandise would bring at auction.

A general reorganization of the tax system was also suggested. One member stated that he had heard it said that the government was taking advantage of taxpayers to make the assessment as high as possible, and cutting it as little as possible when complaint is made, the merchants paying a little more perhaps, because of a desire to avoid the expense of appeal. It was suggested also that the time had come when the Merchants' Association should do something, it being pointed out that it was better to pay upon a high rate of tax at a fair valuation, than less upon an excessive valuation. The whole system was wrong, it was said. The assessor was not to blame, he was acting under the direct instructions of the Governor and Treasurer.

Finally it was decided that the Merchants' Association should test the merchandise valuation and also the assessment upon a corporation as an "enterprise for profit." Catton, Neill & Co. was chosen as the firm to test the clause upon a concern as an "enterprise for profit" and Wilder's Steamship Co. will appeal from the assessment upon the inventory value as the cash value.

The directors were authorized to bring such other test cases as required in getting an opinion upon every phase of the question. There was much discussion also of the cash value as related to inventory value, everyone present taking the view that no stock of goods would bring its inventory value if sold for cash, or at a forced sale.

G. W. Smith presided at the meeting and the following were present: G. W. Smith, P. R. Helm, W. W. Hall, F. J. Church, J. Gilman, H. F. Wichman, F. W. Macfarlane, A. B. Wood, I. Dillingham, E. E. Paxton, S. I. Shaw, C. L. Wight, Mr. Wakefield, Capt. Soule, T. J. King, A. Gartenberg, E. A. McInerney, Mr. von Hamm, Mr. Lucas, Mr. Baach, F. L. Waldron, J. H. Boper, J. S. Andrade, A. A. Montano, R. Catton.



COLONEL MASCHIN.

Head of the military conspirators that slew the King and Queen of Serbia. He is the man who killed Draga.

## MAJOR W. B. HOOPER OF THE OCCIDENTAL HOTEL DEAD

(ASSOCIATED PRESS CABLEGRAMS.)

SAN FRANCISCO, July 16.—Major Hooper for many years lessee of the Occidental Hotel, died today of kidney disease.

Major Wm. B. Hooper was widely known, in Hawaii as on the Pacific coast, as the most accomplished hotel keeper of San Francisco. He was a veteran of the Civil War, a member of the Loyal Legion and a leading lay member of the Episcopal Church. His hotel, the Occidental, was, for many years, the headquarters for the Army, Navy, National Guard and clerical guests, and it was the favorite resort of Hawaiians. Major Hooper had been in ill health for some years previous to his death and lately he relinquished his lease, intending to go out of business altogether. The lease was, however, offered him and accepted on a month to month basis. The Major leaves a family consisting of a son and two daughters.

### To Build Carnegie Library.

VALLEJO, July 16.—The American-Hawaiian Engineering company has the contract to build the \$18,000 Carnegie library here.

The American-Hawaiian Engineering company is the concern of which Mr. Amweg is the local representative.

### Kentucky Republicans.

LOUISVILLE, Ky., July 16.—Morris Belknap is the Republican nominee for Governor of Kentucky. The convention endorsed President Roosevelt for the nomination.

### To Catch Ocean Smugglers.

PORT TOWNSEND, July 16.—A wireless telegraph system has been connected with the San Juan islands to assist the apprehension of smuggling craft.

### Epworth Leaguers Gather.

DETROIT, July 16.—Seventeen thousand members of the Epworth League have arrived to attend the convention.



—The Detroit News.

GEORGE—"People may think I'm stuck on this, but I'm not."

## JAPAN LIKELY TO LOSE AID OF GREAT BRITAIN

### Congress To Be Called In Extra Session On the Ninth of October.

### Knapp, the Murderer, To Be Electrocuted. Abner McKinley Paralyzed--The Pope Still Lives.

(ASSOCIATED PRESS CABLEGRAMS.)

LONDON, July 16.—The Japanese legation is disappointed over Great Britain's attitude in the Manchurian affair. It is believed that the interchange of visits between King Edward and President Loubet is significant of the non-support of Russia by France in far Eastern politics and the withdrawal of Great Britain from the Japanese alliance.

## CONGRESS WILL MEET IN EXTRA SESSION OCTOBER 9th

OYSTER BAY, July 16.—The President announces that he will call Congress in extra session on October 9th to consider financial politics.

### The Pope Still Alive.

ROME, July 16.—The Pope is breathing with great difficulty and is kept alive by stimulants.

## KNAPP, THE MURDERER TO BE ELECTROCUTED

HAMILTON, O., July 16.—Knapp the murderer of five women has been found guilty and will be electrocuted.

In Cincinnati Knapp murdered three persons. One was the wife of another man, another was a twelve year old girl, and the other was his second wife. These three crimes were all committed during the space of seven weeks. Knapp had no real motive for any of them. In 1895 he killed a little four year old girl. He cut this child to pieces with a hatchet and then packed her body away in a box. Finally he killed his third wife. When first tried the jury disagreed and while waiting for a second trial Knapp confessed the whole series of murders, and showed himself to be a robber, outlaw and common thief. Afterwards he took the confession back.

### Abner McKinley Paralyzed.

SOMERSET, Pa., July 16.—Abner McKinley, brother of the late President, is dangerously ill of paralysis.

## THE FAIR WITNESSES ARRESTED FOR PERJURY

PARIS, July 16.—As a result of the magisterial inquiry into the death of Mr. and Mrs. Charles Fair in an automobile accident, the two alleged witnesses, who testified that Mr. Fair died first, were arrested for perjury.

The Nelsons, Mrs. Fair's relatives who are contesting on the ground that Mrs. Fair died last, brought these two witnesses from France to the United States to testify. They were Lucien Mas and M. Moranne. Their testimony in New York was badly twisted up before the hearing had been concluded. The reason they can be prosecuted in France for perjury is that they told their story under oath to a magistrate in Paris. The story has been questioned many times and it is now declared that the two men were miles away from the scene of the great tragedy at the time it occurred.

### Would Not Receive Petition.

ST. PETERSBURG, July 16.—The American embassy has been officially notified that the Government would refuse to receive the Jewish petition.



# GREAT LAWSUIT TO DISPOSSESS CLAUS SPRECKELS

**Mrs. Emma Claudina Spreckels Watson Sues to Recover Honolulu Property.**

Claus Spreckels is reaping trouble anew from his hasty resolution, after the revolution of 1893, to be rid of all of his Hawaiian possessions.

Yesterday a suit was entered in the Circuit Court here on behalf of his alienated daughter, Mrs. Watson, to dispossess the venerable multimillionaire of property in the business heart of Honolulu which stands on the tax books at a valuation of \$400,000, and to judicially assess him in damages to the amount of \$100,000 as the rental of the property during its alleged wrongful detention.

The property in question constitutes the entire city block bounded by Fort, Queen, Alakea and Merchant streets, excepting only the lots whereon are standing the Stangenwald, Judd and Mutual Telephone Co. buildings.

Pursuant to his resolution already mentioned, Mr. Spreckels conveyed his controlling interest in the vast Spreckelsville plantation, owned in the name of the Hawaiian Commercial & Sugar Co., to his sons. The inter-family litigation that started over that enterprise is now an old story.

To his only daughter, Emma Claudina, the old gentleman conveyed all of the Honolulu business property involved in the present suit. Miss Spreckels in 1897 or thereabout ran away with Mr. Watson to San Jose and was there married to him. A telegram to ask forgiveness and their blessing was the first intimation her parents were given of the match.

Mr. Spreckels raged over the marriage and was implacable. In later communications between father and daughter in San Francisco, Mrs. Watson, stung by the parental taunts of past kindness, informed her father that he was welcome to a return of the Honolulu property. Mr. Spreckels, taking her word, proceeded with a notary and deeds to the hotel where Mr. and Mrs. Watson were still pursuing their honeymoon. Mrs. Watson promptly signed the instruments and they were duly acknowledged by the notary.

Second thought probably made Mrs. Watson repent the sacrifice, but to all appearances hitherto must have deemed the repentance too late. There were the deeds, no doubt recorded.

Here, however, there comes in a little provision of Hawaiian law, governing real estate under Hawaiian jurisdiction, which indicates a flaw in the title of Claus Spreckels. A little bird may have sung a bar of the statutes of Hawaii in the ear of Mrs. Watson away across the Atlantic in a lordly manor house of England.

The husband under Hawaiian law has a one-third interest in his wife's real estate, to protect which it is provided that a woman may not convey her real estate without the consent of her husband.

At all events, there is one of the biggest real estate contests now on which has ever been entered in the records of the Hawaiian courts. Following is the complaint in Watson vs. Spreckels in full:

**THE COMPLAINT.**  
In Circuit Court of the First Circuit,  
Island of Oahu, Territory of Hawaii.  
Emma Claudina Spreckels Watson vs.  
Claus Spreckels—Ejectment.

Declaration.

Emma Claudina Spreckels Watson, residing at the Manor House, Lower Kingwood, near Reigate, England, by her attorneys, Humphreys and Watson, and Robertson and Wilder, complains of Claus Spreckels, residing at San Francisco, in the State of California, for that the said Claus Spreckels has unjustly and contrary to law and the rights of the plaintiff taken into his possession and converted to his own occupation the following described real estate situated on Fort, Merchant, Alakea and Queen streets, in the city of Honolulu, Island of Oahu, Territory of Hawaii, and more particularly described as follows, to-wit:

(1) All those premises situated on the East corner of Fort and Queen streets now occupied by S. G. Wilder & Co., set forth by metes and bounds in Royal Patent No. 1284 (Grant) to V. K. Kamamalu, excepting so much as was conveyed to G. P. Judd by deed dated Dec. 9th, 1851, of record in the Hawaiian Registry of Deeds in Lib. 14, Fol. 415.

(2) All those premises extending between said Merchant and Queen streets, set forth by metes and bounds in L. C. A. No. 159 to Kekuanana, Royal Patent No. 704.

(3) All of those premises extending between said Merchant and Queen streets, set forth by metes and bounds in L. C. A. No. 160 to V. Kamamalu, Royal Patent No. 696.

(4) All of those premises extending between said Merchant and Queen streets, set forth by metes and bounds in L. C. A. No. 161 to V. Kamamalu, Royal Patent No. 695.

(5) All of those premises extending between said Merchant and Queen streets, set forth by metes and bounds in L. C. A. No. 162 to V. Kamamalu, Royal Patent No. 697.

(6) All of those premises situated on the corner of said Queen and Alakea streets, set forth by metes and bounds in L. C. A. No. 6506 to Ahu, Royal Patent No. 1623.

(7) All of those premises situated on the corner of said Alakea and Merchant streets, set forth by metes and bounds in L. C. A. No. 165 to V. Kamamalu, Royal Patent No. 222.

Said premises having been conveyed to Claus Spreckels, one-half by Samuel Parker by deed dated October 20th, A. D. 1853, of record in said Registry of Deeds, in Lib. 25, Fols. 158-159, and one-half by Wm. G. Irwin by deed dated Feb. 12th, 1854, of record in said Registry in Lib. 83, Fols. 295-296. Being the same premises conveyed to Emma Claudina Spreckels by said Claus Spreckels, by deed dated July 14th, A. D. 1893, of record in said Registry of Deeds in Lib. 141, Folio 328.

All that tract of land situate on the East side of Alakea street at Honolulu, in said Honolulu, bounded and described as follows, viz:

Commencing at the west corner of this, the said corner being on the mauka side of the lane 17 feet from Alakea street, the intersection of said lane and Alakea street bearing 70° 50'

(makai) and 143 2-12 feet distant from Queen street, and running:

South 38° 20' East, (Magnetic 1870) 50 8-12 feet along the mauka edge of the lane, and parallel with the mauka boundary of Keaelele's; thence turn mauka, interior angle 96° 30', 46 6-12 feet along lane 5 feet wide; thence along Koaiauli's, interior angle 197° 30', 10 9-12 feet; interior angle 282° 15', 9 2-12 feet; and interior angle 93° 30', 29 8-12 feet; and interior angle 163° 30', 24 feet to the east corner of this; thence along the land of the heirs of V. Kamamalu, interior angle 84° 40', 23 3-12 feet; and interior angle 126° 30', 78 feet; and interior angle 157° 15', 41 feet to place of commencement, the interior angle at place of commencement being 78° 30', and containing an area of 4680 square feet, or 11-100 of an acre, as per survey of C. J. Lyons, 1870, being a part of Royal Patent No. 297, L. C. A. No. 115 to A. Paki, and being the same premises conveyed to Claus Spreckels by John Samuel Kaali by deed dated February 17th, A. D. 1883, of record in said Registry of Deeds, in Lib. 142, Fols. 61-63 and by said Claus Spreckels conveyed to said Emma Claudina Spreckels, by deed dated July 14th, 1893, of record in said Registry of Deeds in Lib. 141, page 328.

All of which said premises plaintiff claims in fee simple by purchase from the said Claus Spreckels by deed dated July 14th, 1893, and recorded in Lib. 141, page 328, in the Register Office of Oahu.

Wherefore plaintiff prays the process of this Court to cite the said Claus Spreckels to appear and plead to this declaration at the next ensuing term of this Court, and that she may have restitution of said premises with judgment for the sum of one hundred thousand dollars as damages for its detention.

**WILL CHARM MOSQUITOES**

**BOSTON, July 3.**—The Brookline Board of Health, which is systematically exterminating mosquitoes by means of kerosene oil, is now about to take up a suggestion calling attention to a new process for lessening the evil by means of musical sounds.

The discoverer of the new process says:

"It has been found that practical application has been effected by raising to a great number of vibrations per second the particular note to which the mosquito is most sensitively attuned. This intensified note, produced by sudden electrical impulse upon a musical instrument, causes every mosquito near to plunge headlong to the instrument and die."

A SEVERE SPRAIN usually disables the injured person for three or four weeks. Cures have often been effected in less than one week by applying Chamberlain's Pain Balm. This liniment has great healing powers. One application gives relief. Try it. All Dealers and Druggists sell it. Benson, Smith & Co., Ltd., Agents for Hawaii.

**COLOSSAL DEAL IN REAL ESTATE**

A conveyance of \$5,000 acres of land in fee simple, for the consideration of \$12,500, to Samuel Parker and Annie T. K. Parker, his grand-daughter, was recorded yesterday. The interest conveyed is a nine-tenths one with a presumption that Samuel Parker owns the remaining tenth, and the grantee are Lucy K. Peabody, Lucy Henriques and husband, E. Henriques, Manole Leazui and C. A. Reeves and wife. The land is pastoral, adjacent to the other lands of the Parker ranch in Waimea, Hawaii, and for many years has been tributary to that enterprise as a leasehold. This is one of the largest real estate transactions in the Hawaiian Register.

**LIABILITY OF PARENTS.**  
Justice Galbraith writes the unanimous opinion of the Supreme Court sustaining Judge Hardy of Kauai in the case of Victoria by Phaleo, her next friend, vs. Palama. The syllabus reads thus:

"In an action against the father for damages resulting from the wrongful act of his minor child, of the age of seven years and nine months, it is not error for the court to instruct the jury that the father is responsible in damages where the evidence clearly shows

(Continued on Page 2.)

# STOOD BY COUNTY ACT

**The Governor Not Moved by Side Issues.**

Governor Dole regarded the County Bill as being of too much public importance to veto it for the sake of preventing the hackmen's license grievance to Japanese residents. The following correspondence will show that the Japanese cannot blame their consul for any lack of importunity on their behalf. Whether a consul has such diplomatic jurisdiction as Mr. Saito's letters to the Governor would imply may be left to international lawyers to decide. What is clear is that in one letter he solicits the vetoing of a piece of domestic legislation, and in the next requests information to be used at Washington against the same measure. The consul's two letters and the Governor's reply are given here:

**CONSUL TO GOVERNOR.**  
His Imperial Japanese Majesty's Consulate General, Honolulu, H. T., April 2, 1903.

His Excellency Sanford B. Dole, Governor of the Territory of Hawaii, Honolulu.

Sir: I have again the honor to transmit herewith for your favorable consideration the different petitions dated yesterday, forwarded to me by the chairman of the several Japanese corporate bodies, setting forth the inconvenience and injustice of the hackmen's license bill, which was recently passed the lower house of the legislature and is pending the consideration of the Senate.

As already stand in my former communication of yesterday's date, the hackmen's license bill, as shown by these various petitions, is decidedly inimical to the convenience and economy of all Japanese residents in the Hawaiian Territory; and I again ask your excellency's just consideration as to equal protection of foreign as well as native residents.

I have the honor to be, sir, Your obedient servant,

MIKI SAITO,  
H. I. Japanese Majesty's Consul-General.

**SECOND LETTER.**

His Imperial Japanese Majesty's Consulate General, Honolulu, H. I., July 1, 1903.

His Excellency, Sanford B. Dole, Governor of Hawaii, Honolulu.

Sir: Not having, as yet, received any reply to my letters of the 1st and 2nd of April, 1903, setting forth the inconvenience, injustice and if carried out to the great financial loss to the Japanese community of the Hackmen's License bill which passed the Territorial Legislature a few months ago, and having noticed afterward that the same regulations as those in the Territorial Bill re-appeared in the County Law, Section 347, Chapter 56, which became law as officially published, I now beg to ask you most respectfully to let me have your answer to my letters mentioned above.

I am urged in this matter, as I have already referred it to His Excellency Takahiro, the Japanese Minister at Washington, D. C., and am now forwarding all the information I possess, together with the decision of the Circuit Court regarding the County Law. I shall therefore be pleased to have the answer to my former letters from you as to the views of the Executive, so that Mr. Takahiro may have all possible data which will assist him in any conference that may be in progress between him and the official authorities at Washington.

I have the honor to be, sir, your most obedient servant, MIKI SAITO,  
H. I. Japanese Majesty's Consul-General.

**THE GOVERNOR'S REPLY.**

Private Secretary Hawes for the Governor acknowledged the receipt of the first letter and the Governor answered the second one thus:

July 2, 1903.  
Mr. Miki Saito, H. I. J. M. Consul-General.

Sir: I have this day received your letter of July 1st referring to previous correspondence in regard to the 'Hackmen's License Bill' and also to similar regulations which were incorporated in the County Act, and asking for a reply.

The Hackmen's License Bill was not signed and the termination of the regular session of the Legislature prevented it from becoming law.

Although somewhat similar provisions were placed in the county bill, the bill was of such general importance that it would have been, in my opinion, against public policy to have vetoed it on account of such provisions.

Very respectfully,  
SANFORD B. DOLE.

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(Continued on Page 2.)

# ABOUT TWO SECURITIES

**Bonds of Hilo R. R. and Olaa Sugar Co.**

William O. Smith, guardian of Eric R. J. Gay and Arthur F. K. Gay, minors, addressed a petition in each case to Judge De Bolt for his approval of investments of \$1000 apiece in the bonds, respectively, of the Hilo Railroad Co., and the Olaa Sugar Co. Statements relating to the different securities by officers of the companies are appended.

Of the Hilo Railroad Co., there have been issued and sold \$350,000 of six per cent 10-20 year first mortgage gold bonds and a sinking fund consisting of five per cent of the annual gross earnings of the company has been established to commence five years after the date of the bonds, so that by the time the bonds mature seventy-five per cent of their face value will have been set aside out of the earnings of the company. A list of bondholders is given, showing the amount of \$285,000 held in San Francisco and the rest by local investors. The net earnings of the railroad last year were \$28,064.60 and for this year they are estimated at \$30,000. The machine shops last year cleared more than \$15,000. Last year the company acquired the property of the Hilo Dock Co., to be paid for out of the \$150,000 of bonds remaining in the treasury. The company is paying a dividend of one per cent a quarter and owes nothing but its bonded debt. Only about one-fifth of the area tributary to the road has as yet been developed. Elmer T. Paxton, treasurer, signs the statement.

The Olaa Sugar Co., has issued \$1,250,000 of first mortgage six per cent 5-20 year gold bonds, secured by all of the property of the company under deed of trust to Bishop & Co. Of the whole amount \$445,000 is held here and in San Francisco and the remainder of \$805,000 as collateral security to notes aggregating \$525,000 by the Mercantile Trust Co., Security Savings Bank, German Savings & Loan Society and Anglo-California Bank. The assets are valued at \$6,524,333.33 and liabilities at \$1,220,667.81, or an excess of assets over liabilities of \$5,303,665.52. A conservative estimate of the coming sugar crop gives a value of \$1,950,000, to harvest which should not cost more than \$550,000, leaving a balance of \$1,400,000. The company owes nothing outside of its bonds sold and notes secured by bonds, excepting monthly bills paid at the end of each month, and a credit balance with the agents at the end of this year of more than \$200,000 is anticipated. Various factors of promise for the prosperity of the enterprise are mentioned, including the large and modern mill and the almost absolutely certain rainfall, and Treasurer Elmer E. Paxton in conclusion says:

"Nearly all of the bonds sold were taken by responsible parties when the plantation was first started before there had been one-fifth of the capital expended that there is at the present time and before it was fully demonstrated that cane would grow equally well at all elevations on the plantation. If the bonds could be considered fair security at that time their value is certainly largely enhanced by reason of the expenditure and development of the property of the company."

Justice Perry is the author of a unanimous opinion of the Supreme Court in the case of L. Ahlo vs. C. Bolte and the Kaneohe Ranch Co., Ltd. This was an equity case in which plaintiff filed a discontinuance and then moved for a decree of dismissal without prejudice, stating that he followed that course because he believed it to be to his best interests to seek a remedy at law. Respondents moved for a decree dismissing the bill with prejudice, basing their motion on an affidavit to the effect that David Rice had come all the way from Boston to testify in the case and that they had incurred large expense and great inconvenience in preparing for the trial. Plaintiff made another move for dismissal without prejudice.

Judge Gear declined to decide whether the dismissal should be with or without prejudice, and signed a decree reading, "upon motion of plaintiff and payment of costs to be taxed, the bill stands dismissed." He specifically held that the question of whether the decree would operate as a bar to other proceedings between the same parties and concerning the same subject matter was one to be passed upon when raised in some subsequent proceeding. The complainant appealed.

The Supreme Court says that in equity a simple decree of dismissal without saying anything more is presumed to have been upon the merits and is a bar. Therefore, when a party is entitled to a dismissal without prejudice the court should say so in its decree and thus avoid the possibility of future controversy on that point. The appeal is sustained and the cause remanded to the Circuit Judge with instructions to amend the decree by adding thereto the words "without prejudice."

Kinney, Ballou & McClanahan for complainant; Robertson & Wilder for respondents.

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(Continued on Page 2.)

# THE POPE GETS OUT OF BED AND HOLDS A LEVEE

**Doctors Are Puzzled But Report a Steady Diminution of the Pontiff's Strength.**

(ASSOCIATED PRESS CABLEGRAMS.)

ROME, July 14.—The Pope had a remarkable rally today. He got out of bed and received the Cardinals. There is, however, a steady diminution of his strength and respiration is worse. His Holiness is having a tranquil night. The doctors are puzzled.

ROME, July 15.—Simulants and constant nourishment still preserve the life of the Pope. The patient's delirium is increasing. He had a bad night and was worse this morning.

WASHINGTON, July 14.—Hansen, the Russian charge d'affaires today delivered a message to Secretary Hay regarding Manchurian ports which Russia is ready to open. The Secretary declines to discuss the proposal.

BLACKFOOT, Idaho, July 14.—A company with a million dollars' capital will build a beet sugar factory here to cost half a million.

WASHINGTON, July 14.—It is understood that Col. Oliver, who succeeds Col. Sanger as Assistant Secretary of War, will take Secretary Root's place later on, the latter being anxious to retire.

PARIS, France, July 15.—A dispatch to a leading Paris paper states that the relations between Russia and Japan are greatly improved. It is believed that the course of the Manchurian conference has been such as to allay the feeling in Japan that the Russian policy will be aggressively inimical to Japanese interests.

ROME, Italy, July 15.—The symptoms of pneumonia, which have threatened from the first of the Pope's illness, have almost entirely disappeared. The physicians report tonight, however, that their patient is suffering from a complete prostration. They are very much mystified with the course of the Pope's illness and are now of the opinion that he may linger for days. No hope is held out of eventual recovery.

MARYSVILLE, Ky., July 15.—The high feeling aroused during the recent trial of William Tacker today took the form of a lynching bee. Tacker, a white man, was recently tried and convicted of murder and sentenced to prison for life. An appeal was taken and a new trial sought on technical points. Many believed Tacker guilty and were highly incensed at the law's delay. Today a body of masked men attacked the jail in which Tacker was confined, overpowered the guards and hung their victim to a near by tree.

# THE HOUSE LEFT DEBTS FOR THE SENATE TO PAY

The House of Representatives was "broke" before it adjourned. There were just five dollars and thirty-eight cents to the credit of the House in the Treasury last Saturday and there are a number of bills outstanding against that. The House had \$13,000 to spend at the extra session, not counting the \$7,000 which was squandered in the printing of the Journal.

Not only has the House no money but what is worse it has bills outstanding which cannot be paid. How many bills of its own making it has is not developed but so far the House has failed to pay its share of the expenses of the conference committees, and what is more does not intend to do so.

When the Legislature got down to the conference stage the House and Senate agreed that each body should bear one half of whatever expense was incurred. All bills which were contracted were made out therefore, half to the House and half to the Senate. When the House bills were presented to the clerk about a week before adjournment, Solomon Meheula announced that there were no funds. A visit to the treasurer corroborated that part of the statement, though the man who tried to collect the bill was of the opinion that there is money available somewhere, which Meheula will have no difficulty in drawing upon. Meheula was voted forty days' extra pay within which to complete the Journal and \$400 will have to be gotten from somewhere, for Meheula isn't the kind of a man who will be willing to wait two years for his money.

As for the Senate, that body is reported to have several hundred dollars remaining after the payment of all expenses. The conference bills are still outstanding—that is, the bills incurred by the House in conjunction with the Senate. The Senate is ready to pay all its conference bills, and will also probably have to pay what the House agreed to stand. Just before the adjournment of the Senate on Saturday night the Senate voted to pay all the conference bills provided that the House failed to do its duty, and provided further that there was sufficient money for the purpose. This is what will probably be done and the Senate will have to pay the bad bills of the House.

# MONEY FOR BRINGING TOURISTS IS AVAILABLE

(From Wednesday's Daily.)

At a meeting of the Joint Tourist Committee with Secretary Carter yesterday plans were formulated for the immediate inauguration of the tourist and advertising campaign. The \$15,000 which was appropriated by the legislature for advertising the resources of the Territory is available at once. The amount is appropriated in the six months bill and Secretary Carter told the committee that its wishes would be regarded in the expenditure. It is the plan to use the money only for the actual expense of printing and advertising. The incidental expense which will attend this expenditure will be borne out of a fund to be raised by the committee.

It is the intention of course to open headquarters in the city and the latter part of the week, or early next week and then a definite plan of campaign will be inaugurated. It is the intention to start to work immediately, so that Hawaii may secure the benefit of the thousands of tourists who visit California during the fall and winter months.



# BIG WATER LITIGATION

## Commissioner J. F. Brown's Report.

Jacob F. Brown, commissioner appointed by Judge De Bolt on January 7, 1903, to take testimony in the water injunction suit of Hawaiian Commercial & Sugar Co. vs. Walluku Sugar Co., yesterday filed his report. There will be a hearing upon it today. It is presented in a bound volume of 123 typewritten pages, accompanied by 55 exhibits of deeds, surveys, reports, etc.

Findings of fact made upon requests in writing from both parties are respectively separated. Their local references and technical character generally prevent the making of any summary that would be of common public interest. However, there are a few facts presented which will bear publication.

The bed of the Walluku river is the natural channel in which all the water from the water courses in the Iao or Walluku valley and from a further considerable portion of the ahupuaa of Walluku, if not diverted, would naturally flow seaward, including all freshet, flood and other water not appurtenant to taro land or acquired by prescriptive use.

The formation of the Walluku valley has an upper stratum, varying approximately from twenty-five feet to fifty feet in depth, composed of loose boulders, sand and gravel, forming a kind of gravel reservoir, into which water flowing from the Iao gulch, if not diverted near the head of the gulch, would soak; and its seepage in time of drouth would aid in supplying water for the kalo lands below.

The diversion of water, especially of flood water, at the Maniana gulch, prevents the water so diverted from doing its share in saturating the reservoir of the valley bed, and to that extent seepage to the lower kalo lands is diminished.

The valley apparently has a substratum of hard rock, considerably impervious to water. The tendency of the water occupying the upper stratum would be to move gradually seaward, and while so doing, if the reservoir were filled, water would appear on the surface in depressions and undulations.

In the early fifties Kamehameha III inaugurated the planting of sugar cane for the purpose of manufacturing the same into sugar on various lands within the water shed of Walluku river, including the land of Owa and portion of Puuhala district, aforesaid, and erected a mill to grind the cane so grown.

The arable kula lands under the Kani and Kama Auwai, within the crown sales made by Kamehameha IV, were sold and conveyed by Kamehameha IV as and for cane lands upon which to raise crops other than taro and with the expectation that the same would be watered from the Walluku river.

There is a further chain of this history of early cane-growing on Maui in the report.

It takes a continuous flow of at least two and three-fourths millions gallons per twenty-four hours to maintain ninety acres of land in taro in Walluku, if the taro lands are properly tamped and cultivated.

It would be wholly impracticable, even with the normal supply of water from the Walluku river, including freshets, to cultivate the whole of the taro patches in Walluku watered by the Walluku river, if the patches were not properly tamped.

A taro patch untamped in the district of Walluku will consume about double the amount of water that the same patch would consume if properly tamped.

The water rights appurtenant to a certain purchase of about forty-five acres of taro land by the Walluku Sugar Co. would properly irrigate and maintain 125 acres in cane.

The Walluku river is a perpetual stream and always has water flowing in its bed from its source to the bridge crossing it on the public road from Walluku to Waialae.

The H. C. & S. Co.'s tunnel flows about one to one and a quarter million gallons in twenty-four hours.

The W. S. Co.'s tunnel flows from three-quarters to one million gallons in twenty-four hours.

Many findings requested among hundreds altogether are denied as being on matters for the courts and not the commissioner to decide.

On the face of it this water controversy seems to be about as complicated as the proverbial Philadelphia lawyer would care to tackle.

# HEGIRA OF PORTUGUESE

## Mr. Oliveira Believes Planters Could Stop It.

J. B. Oliveira of Hilo is in town looking after a homestead interest with the Government. To an Advertiser reporter who met him in the Capitol, Mr. Oliveira deplored the hegira of Portuguese from the Territory which is taking place.

"The Portuguese are leaving the islands by hundreds, yet there is a complaint by the planters that they cannot get enough labor," the Hilo man said.

"Why don't they go to work on the plantations? Because they want better wages than the planters will give them. The Portuguese can do more work than the Japanese and the Porto Ricans. They raise families respectably and want better houses than the planters have for their labor on most plantations."

Mr. Oliveira spoke of his countrymen as having made good citizens in Hawaii, mentioning instances of their young men who had done and were doing well in business and the legal profession. When the Portuguese had been given a chance on the plantations, they had transformed the plots on which their houses stood into fruitful gardens. Evidence of this thrift were marked at Honohua for instance.

"Outside of a few plantations in Hilo district," Mr. Oliveira said, "the condition of laborers' quarters has not improved from fifteen years ago. The Portuguese have to live in houses where you may look through cracks in the walls. There are better houses at Pepeekeo than on any other plantation in the Hilo district. Mr. Deacon treats the Portuguese better than any other manager on Hawaii. Still there are only about twelve Portuguese families at Pepeekeo where formerly there were forty."

"When I was a school teacher at Honouliuli sixteen years ago there were eighty-seven Portuguese families on the plantation. Now there are about six or seven. Hakalan had forty families of Portuguese, where today there are only six or seven individuals and but two of them married men. Honohua has three families to twenty formerly, while the Portuguese at Papaaloo have decreased from 200 families to four or five."

"Portuguese have been given cane-planting contracts at Pepeekeo, Papakou and Waialae, and have done well with them, but the planters on Hawaii as a rule would rather give contracts to the Japanese."

Mr. Oliveira being asked what terms would suit the Portuguese and induce them to give their labor to the planters. He answered:

"Teamsters at Honouliuli get \$1 a day. If the planters give the Portuguese \$2 a month they can have all the labor they want, and they can afford to do it. The Portuguese would want better houses than the common run of laborers' quarters, also a fair supply of firewood. In some places now a family is allowed only a few sticks of wood to do for a week."

Grateful people will talk. Tell their experience for the public good.

Honolulu citizens praise Doan's Backache Kidney Pills.

Kidney sufferers appreciate this. They find relief for every kidney ailment. Read what this citizen says:

The Rev. J. Nua of Kawaiahae informs us:

"I suffered from kidney trouble, which was, I believe, caused by my lifting heavy weights whilst young. Pains in the small of my back were one of the symptoms of my complaint. My trouble extends back to the time when I was 28 years of age, and as I am now 49, that is a considerable period. During all this time I was subject to pains in the back. They continued despite the fact that I consulted several physicians and took numerous remedies. No relief thus gained can be compared to the benefit obtained from using Doan's Backache Kidney Pills. I have got on wonderfully well since taking them. I am quite satisfied with the result, and shall always have some of the pills by me, even when going from Honolulu to other missionary fields in the South Pacific. There is no other remedy like Doan's Backache Kidney Pills for kidney complaints, including backache."

Doan's Backache Kidney Pills are sold by all druggists and storekeepers at 50 cents per box (six boxes for \$2.50), or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

**Sunday Advertiser**

# KAMALO HAD A HOT TALKFEST LAST EVENING

## Larry Dee Charged the Treasurer With Being \$400 Short in His Accounts.

Accusation and recrimination, charges that Treasurer H. R. Hitchcock is short \$400, threats against Judge Davis and Judge Humphreys, insinuations against the officers of the company, and a vote of confidence in L. H. Dee, these were but a few of the incidents in a lively meeting of the Kamalo Sugar Co. which was finally declared illegal last evening.

Milk's Hall was surcharged with electricity long before the meeting was called to order—every stockholder knew that something was going to drop, and there was no disappointment for those that were looking for a lively meeting. Out of it all though comes the prospect of a reorganized company, which failing the estate will be sold, Mr. Dee making the announcement that there the stockholders would receive fifty cents on the dollar, if not dollar for dollar.

This was the first meeting of the company for two years or more and were four purchasers waiting, and that the stockholders were anxious to find out what had become of their money. They didn't succeed, though a report is promised for the special meeting which was called for the evening of August 1st.

THE CALL TO ORDER. The meeting was called to order by David Dayton, the president. There were present thirty or more stockholders in person and they represented altogether 13,367 shares of the total holding of 18,330. This is virtually the entire stock as the difference is represented by the stock repaid into the company by the promoters upon the order of the court. The larger stockholders represented were Dr. Mouritz who said he had a third of the stock, and L. H. Dee who had a half. The Meyer family 3400 shares, H. R. Hitchcock 250, L. H. Dee 450, J. Lucas 520, C. Brown 500, F. Hustace 1700 W. M. Cunningham 200, Jas. Steiner 300, D. McCriston 1035, McLain 450, were also represented.

After the showing of stock had been made President Dayton announced that each stockholder was entitled to examine the books.

"Where are the books?" came the voice of a stockholder with the first hint of trouble.

Mr. Dayton continued by stating the object of the meeting, which he said was the first since May, 1901. The questions to be considered he announced were:

1. Shall the company close up its business?  
2. If the company is reorganized shall all expenses be cut down?  
3. If the Kamalo Co. continue shall the stock be reduced from one million dollars to five hundred thousand and shall enough money be borrowed to pay the debts?

Mr. Dayton announced further that

there was but one suit remaining of \$1400 on which execution had been issued, and the total debt amounted to \$14,000. "The delay has been caused by expensive lawsuits," concluded the president.

"Yes, it was a good thing for the lawyers," said J. Lucas.

"Yes," replied Dayton, "they took the cash but didn't touch the stock."

DEE'S REPORT.

L. H. Dee as auditor stated that the books of the company were in the safe deposit vault, and that they were correct up to the time that John Ouderdirk quit. "I am sorry that I can't say the same for Rex Hitchcock," he continued, "I don't want to throw any dark clouds over that man but as far as I can make out the books show him to be \$400 short. They show \$10.65 in the bank and several letters we sent to Hitchcock to bring him down to straighten out the matter had no effect. I can't find the vouchers to correspond with the checks; they were made out payable to self, and to cash. I find him \$400 behind and so consequently couldn't audit the books. I have made a statement of all but the \$400."

LAWYER'S REPORT.

Mr. Dee announced that lawyers had a report to make of the litigation and J. Lightfoot read that document. He reported on all the litigation of the company concluding with a judgment for \$35,000 in cash and 6000 shares of paid up stock and an award of \$20,000 to the lawyers by Judge Humphreys, which was reduced to \$7500 by the Supreme Court.

"That was quite a difference," remarked Lucas.

Then was detailed the payment of the judgment in part and the steps taken to collect the balance.

All but \$11,338 had been collected by the lawyers on the judgment and it was charged that Hustace had fraudulently converted his property to escape judgment. Some of this property had been purchased by L. H. Dee for the company and the attorneys recommended that other suits be begun to cover the judgment against Hustace, Egan and Foster.

Dr. Mouritz in response to a request from L. H. Dee announced that he wanted to find out about a certain piece of property purchased by the company, the Foster home, and upon which an unsecured note had been taken.

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# HAWAIIAN TOBACCO

## Federal Director Jared Smith Shows Samples.

An exhibit of Sumatra leaf tobacco grown at the Federal Experiment Station was brought by Director Jared G. Smith to the appointed meeting of the Board of Agriculture yesterday afternoon. Only W. M. Giffard and Jacob F. Brown, with Superintendent of Public Works H. E. Cooper, were present and no formal proceedings were undertaken. Yet an interesting discussion on the possibilities of a profitable tobacco-raising industry for Hawaii took place.

The exhibit consisted of two bundles of leaves intended as cigar wrapper material. One had leaves about 18 inches long by 12 inches at the widest and the other about 13 by 7 inches in corresponding dimensions. Mr. Smith also showed a piece of textile fabric such as is used in screening tobacco while growing.

The tobacco was uncurd and Mr. Smith said the leaves were not tobacco until proved by the curing process. However, in their existing stage he considered the leaves of favorable appearance. He intended sending the samples to an expert in Connecticut for a report thereon. It would take fully three months for the report to come back.

Mr. Smith made a proposition of decisive experimentation on this class of tobacco. The land he had selected was on Louisson's place in Hamakua, samples of soil from thence being of a promising sort. The soil at the station was not of the best for the purpose. It was too heavy and produced a leaf excessive in size.

The intention was to plant an acre with Sumatra seed. Shelter construction included, the cost of the experiment would be about \$1200. There is an appropriation at the disposal of the Board, for assistance to the Federal station, of \$2500 for each six months till the end of the biennial period. The members present seemed disposed to devote the necessary amount for testing the tobacco problem out of this allowance.

Mr. Smith spoke of a yield of 1400 pounds to the acre, which fermentation in curing would reduce to 1000 pounds. He told of the success of a company that started operations lately in Porto Rico and said:

"I have had assurances that if the experiment here prove successful, San Francisco people would come here and put a good deal of money into it."

Mr. Smith stated, in answer to a question by Mr. Giffard that he had some cotton on hand grown at the station and that he had no doubt cotton might be made a regular staple in Hawaiian products.

en and the credit or the company pledged. Mr. Dee replied that he had paid for the land himself, \$2100 in gold coin, to save the company. This had been his own personal transaction after the company had refused to buy in the property because of a cloud on the title.

"The report of the lawyers doesn't correspond with that statement," remarked Lucas.

"Yes, it does, the company refused to take it, and I bought it and saved the company \$450. The property is worth \$5,000, replied Dee hotly.

"The Kamalo Co. didn't authorize you to buy it, then?" asked Mouritz.

"No sir, I bought it myself, after the directors had refused to have anything to do with it."

"That is perfectly satisfactory to me?" replied Dr. Mouritz.

Then it was proposed to adopt the attorney's report, but Dr. Mouritz objected to the portion advising further litigation, saying he had been opposed to lawsuits all his life. Mr. Dee said that more litigation was necessary to protect the interests of the company, which had purchased the property of the defendants. He moved that the report be filed.

J. H. Craig said he wanted a report of the trustees before that of the lawyers.

Mr. Dayton said there wasn't a report ready, and Dee stated that there had been an inventory showing the estate to be worth \$110,000. This included 7000 acres of land, material and a railroad.

"Where's the railroad?" asked Lucas.

"Down at the wharf," was the reply.

"I'd like to know what we have been doing, what we have got," insisted Craig.

"I am the only one of the trustees who has been here four years."

DEE AND LUCAS.

"Where's Hitchcock?" asked Lucas.

"Don't know," replied Dee, "he would do no good here."

"Where are the books?"

"In the safe."

"Why don't you bring them here?"

"Why should I?"

"You say you are the whole thing?"

"I haven't said anything of the kind."

"Yes you did."

"I didn't and I object to having slurs cast upon me."

Lucas and Dee were starting towards each other, when the chair called them to order.

Then Lucas said: "There is no use telling me that stuff is worth \$110,000, he is not telling the truth; it's a falsehood."

"You didn't come here for business," replied Dee.

ABOUT HITCHCOCK.

"How did it come that Mr. Hitchcock drew out this \$400 without the order of the President?" inquired W. M. Cunningham.

"It was put in the bank as treasurer of the company, and he drew it out. Then he went to M. Lokai," replied Dayton.

"It was about time for him to go, I should think, when there was only ten

# COOPER TO ARRANGE EXHIBIT

## Will Have Charge St. Louis Fair Display.

At a meeting of the Exposition Association of Hawaii, Supt. Cooper in whose charge is placed the \$30,000 appropriation for the St. Louis Exposition was delegated to arrange the exhibit and appoint a commissioner to the fair.

Mr. Cooper who was present at the meeting outlined in brief what his plans for the exhibit were. He said that work should begin immediately in arranging a display, and that a man should be appointed to get together articles to be exhibited and also to carry on the work to the end, including the representation of the Territory at St. Louis.

"I think we should lose no time," said Mr. Cooper, "the exhibit should be prepared immediately. In some ways perhaps a building would be better to show off our exhibit but it was evidently not the intention of the legislature to have a building."

Mr. Cooper inquired the cost of the projected building and Mr. Spencer stated that the estimates were slightly over \$21,000. The sentiment was expressed that this would leave too small an amount for the actual preparation of the exhibit.

"My idea," continued Supt. Cooper, "is to arrange a transportation exhibit for one thing—a display of the models of all the steamers running into Hawaii, and also of the transportation facilities here. Then also there should be photographs of our hotels, something to show that we are prepared to accommodate whatever visitors come to the islands."

Mr. Cooper suggested also that there should be information at the disposal of the commissioner showing just how much it would cost to visit the islands. He also favored a display of the products of Hawaii, including curios showing the progress since early times. "The school exhibit has already been arranged for," said Mr. Cooper.

Mr. Allan Herbert who was present suggested that there should be an agricultural display and this sentiment met with hearty approval. There will be besides an exhibition by the United States Agricultural Department, but this will be in the general building in which all the products of the United States are to be displayed.

WHO SPENDS THE MONEY?

The legislature did some queer things in its provision for the governmental departments, and the St. Louis Exposition fund suffered along with the rest. There is an appropriation of \$20,000 for this purpose to be expended under the direction of the Superintendent to Public Works. The item is in the six months bill and in the eighteen months bill it appears again, but this time under the office of the Secretary of the Territory. This amount is to be "only such portion of same to be used as amounts to the unexpended balance of appropriation for this purpose for the period ending January 1st, 1904." This makes another division of authority, Cooper will have to oversee the work of preparing the exhibit while Carter will take charge of the work on the first of the year.

Before an adjournment was taken yesterday afternoon a motion by Mr. Spencer was carried to the effect that Supt. Cooper should be authorized to appoint an exposition commissioner to work under his supervision. This was carried unanimously. Mr. Cooper stated afterwards that he had no one in mind for the position.

dollars in the bank," said Cunningham.

"It was something like the Chinese fund. It seems to me he deserves a letter from Mr. Brown of Merchant street."

"Mr. Dee and others have written him," said Dayton.

"I'll bet a letter from High Sheriff Brown would fetch him."

Mr. Cunningham suggested there ought to be a vote of censure for every officer besides Mr. Dee.

DEE REPORTS ON DAVIS.

Mr. Dee made another effort to report. He said when the directors took hold there were \$35,000 owing, which had been reduced to \$17,000. Further that Paul Neuman had been engaged to watch the company's interests and afterwards Geo. Davis. Then Davis had run away to Washington and new lawyers had to be employed, but Davis came into court when the decision came awarding the lawyers \$20,000. Mr. Dee said he had asked Judge Humphreys about the fee, and had been told that it was payable only upon the recovery of the judgment awarded, but in spite of that Humphreys directly issued an order for the payment of \$7500 though the money had not been all recovered. "If that isn't against the law I don't know what is," said Dee. "There have been some nasty remarks made about me, but I will say right now that no one can put a finger on a point and show where I haven't done right. I am out of pocket, but I'm not squealing. As far as the directors are concerned I am ready to step down and out, and let some of the rest of you try it awhile."

MEETING ILLEGAL.

J. H. Craig said he hadn't got the information he was after yet and wanted

(Continued on page 6.)

# WHERE ARE THE VOUCHERS OF THE ADJOURNED HOUSE?

Have the vouchers of the expenses of the House of Representatives been destroyed?

Appearances would indicate that the answer to this question must be a humiliating affirmative.

George R. Carter, Secretary of the Territory, was asked yesterday if he had received the vouchers.

"I have not," was the reply.

"Do you know where they are?"

"I have no idea."

"Have you made a demand for them?"

"No; I have not," the Secretary said, adding that he was not certain that it was in his province to make such a demand if the officers of the House did not see their duty in the matter.

Mr. Carter, answering a further question, said he presumed the House vouchers of expenses were part of the House records that by law should come into his custody.







# BEAUTIFUL IAO VALLEY

## The Argument Is On In Water Contest.

A. S. Hartwell personally conducted a mental excursion into the beautiful Iao Valley, Maui, before Judge De Bolt yesterday afternoon. This was in his opening of the argument for plaintiff in the water rights injunction suit of Hawaiian Commercial & Sugar Co. against Wailuku Sugar Co. W. O. Smith was present and announced by Mr. Hartwell as associate counsel for plaintiff. W. A. Kinney appeared for defendant.

"Do you desire to put on any additional evidence, gentlemen?" the court asked.

"Here are 990 pages," Mr. Smith answered, tapping a pile of taped bundles of legal cap paper.

There were sheaves of memoranda, including unbound sheets of Vol. 14 Hawaiian Reports, under Judge Hartwell's hands, while on the clerk's table maps and deeds and Commissioner J. F. Brown's formidable report just filed were heaped.

Judge Hartwell, in his opening, laid great stress upon the importance of the court's having a clear vision of the topography of the Wailuku river's watershed. And he described that beautiful landscape with a deftness of word painting which would not have discredited Bayard Taylor or even Washington Irving. The task was lightened to some extent by Judge De Bolt's saying, in answer to a question, that he had been privileged, in propria persona, to have visited Wailuku.

One of the first things to argue for the plaintiff was that the controversy was not res adjudicata, or settled previously to a finality in the courts. These points were urged as having been settled.

That surplus water was that which was in excess of water used by those having prescriptive rights thereto and which if not utilized by others would run to waste.

That former decisions related to surplus water and did not affect the present contention that the Wailuku Sugar Co. was using water to which it did not, but to which the Hawaiian Commercial & Sugar Co., Ltd., did, have prescriptive rights.

That while both parties owned lands having from early times prescriptive rights to water from Wailuku river, the Wailuku Sugar Co. was diverting such water to land a mile away which never had prescriptive rights thereto. That certain rights the Wailuku Sugar Co. claimed now had been obtained since the beginning of the cause of the present action. This referred to the Wailuku purchase.

It was related by Judge Hartwell that the suit of Claus Spreckels against the Hawaiian Commercial & Sugar Co., on his claim of personal ownership of water rights vested in certain land, had been compromised after Baldwin and Castle obtained the control of the H. C. & S. Co.

Judge Hartwell will conclude his address this morning, to be followed by Mr. Kinney for the defendant.

Commissioner Brown yesterday filed his account for services, charging \$2,940 or \$20 a day for 102 days on his own account and \$963.90 expenses.

### SOUTH STREET INJUNCTION.

Henry E. Cooper, Superintendent of Public Works, and Charles B. Wilson, Road Supervisor, have filed an answer to the amended complaint of Kaplani Estate, Ltd., for injunction on South street improvement operations.

They allege that all the land in question is and has been from time immemorial owned by the Territory of Hawaii and its predecessors, in fee simple, as Government land, and defendants further allege that said Government of the Territory of Hawaii is entitled to the exclusive use and possession of said premises.

They deny that they or either of them together with a large force of men by them employed or working under their order or authority, are now engaged or ever were engaged in an unlawful attempt to take possession of the premises in question on South street.

Defendant Wilson admits that he took possession of the premises in his official capacity, for the purpose of constructing and macadamizing the westerly line of said South street.

Defendants say they at no time broke, or removed, or caused to be broken or removed any valuable fences

or cut down or uprooted any valuable ornamental trees or shrubs, or trespassed in any way upon any of the lands or property of the plaintiff, but that all work was done by them within the public highway of South street in repairing and improving such highway and upon land belonging to the Territory of Hawaii.

### DR. CARTER'S CHILDREN.

Edgar Henriques petitions that he be appointed guardian of Thomas J. Henry C., William L., Eunice K., Beatrice K., Albert E., Harriet K. and Richard N. K. Carter, minor children of Albert B. Carter ranging from fourteen to three years of age. It is stated that the minors are entitled to a two-thirds interest of the income under the trust created by the will of Margaret V. Carter, deceased, which amounts to \$1000 a year and to which they are entitled in equal proportions.

### REDWARD'S DEBTS.

The A. Harrison Mill Co. has brought an action to enforce a materialman's lien for a balance of \$3906.26 against F. H. Redward, contractor, and F. M. Swanzey, owner.

Constant Sterling, painter-hanger and painter, has brought an action to enforce mechanic and materialman's lien for \$967.48 against F. H. Redward and F. M. Swanzey.

### THE SPRECKELS SUIT.

Deputy Sheriff McGurn served the summons in the big ejectment suit of Emma Claudina Spreckels Watson against Claus Spreckels on W. M. Giffard, attorney in fact for Claus Spreckels.

### VARIOUS ITEMS.

Manuel S. Deponte has been licensed by Judge De Bolt to practice law in the lower courts. He is a citizen of the Territory, was educated at St. Louis college and Oahu college, and taught school at Makawao, Maui.

Pacific Mill Co. makes answer of general denial to the complaint of Enterpriser Mill Co.

American Bridge Co. vs. Hawaiian Engineering & Construction Co. is discontinued.

### DIVORCE CASES.

Charles Blake has moved to quash summons in the divorce suit his wife has brought.

Lorin Andrews, attorney for libellant in the divorce suit of Harry W. Flint vs. Nina I. Flint, has filed exceptions to Judge De Bolt's dismissing of the bill.

# TIME NOT UNLIMITED

Readers of the Advertiser ought not to entertain the error that Hawaii is to have a building of its own at the St. Louis Exposition. The abandonment of that project has been related by this paper before.

Even without a building to equip and fill up with exhibits, however, there is none too much time left for preparation for an attractive and comprehensive display is to be made. A member of the Exposition committee said yesterday that advices from the management of the fair were to the effect that it would be necessary for an application to go forward soon for a definite area of space required for the Hawaiian exhibit. The alternative is a liability of being shut out altogether or, else squeezed into an insignificant niche.

Another requisite that is recognized is the early appointment of the commissioner to have charge of the exhibit. Whoever it may be, he ought to share in the work of assembling the exhibits from the start, so that he may be familiarized with every division and its component articles before shipping, and equip himself with a catalogue showing the contents of different packages as identified by marks.

Everything should be ready to ship, and the commissioner to start, for St. Louis not later than the first of January. Making allowances for delays in transportation and a variety of impediments almost certain to be met on the ground, three months is not too long a time for getting there with the exhibits and installing them in good style.

### Kaplan Estate Offices.

The Kaplan Estate, Ltd., has handsome offices in the new building named after its patronymic of revered memory. They occupy the corner looking out on King and Alakea streets, also having a view of Capitol square. The directors' room is spacious, well furnished and decorated with pictures many of which have much historical interest. A bust of King Kalakaua occupies a corner.

The public business office, with bank-screen counter, and the manager's private office, both lead into the directors' room. There is a fine and burglar-proof vault in the manager's office, with modern fittings such as initialed boxes for documents. Opening out from the private office hallway are a bathroom and a small lavatory room.

Altogether it is one of the suggest business suites in town as well as one of the most elegant.

# INSANE ASYLUM REFORMS ARE INAUGURATED

## The Board of Health Is Not Favorable to the Proposed New Asylum Site.

There was a long order of business, including some matters of great public interest, gone through with by the Board of Health yesterday. Conditions at the Insane Asylum received practical attention, incidentally bringing up the question of a new site for rebuilding upon. The Molokai transportation and paiai contracts were awarded. Tuberculosis amongst cattle on the other side of this island was pointedly brought to the attention of the meeting. The Board's pay roll was reviewed and the annual visit to the Leper Settlement discussed, besides which several other matters of more or less popular concern were considered.

Those present were: Dr. C. B. Cooper, president; Dr. W. H. Mays, E. C. Winston, Fred C. Smith, Mark P. Robinson, members; C. Charlock, secretary; Miss Mae Weir, stenographer.

### HILO VETERINARY INSPECTOR.

Wm. H. Jones, D. V. S., by letter offered to serve as veterinary inspector for Hilo without compensation, he having been informed from previous meeting that there was no appropriation. The offer was accepted.

### TRANSPORTATION CONTRACT.

The tender of Wilder's Steamship Company for freight and passenger service to the Leper Settlement, with a letter relative to the freight service, was received and on motion accepted.

The tender was "for a freight and passenger service for a period of six months ending December 30, 1903, between Honolulu, Kaunakakai, Kamalo, Pukoo, Halawa, Wailau, Pelekuni and Kalaupapa (Molokai); Lahaina (Maui), and Kahalapa (Lanai), by a passenger steamer, for the sum of fifty dollars (\$50) per week. Service to be made weekly; the rate of service to consist of a call of once a week at the ports named, excepting that should the state of weather prevent the landing of paiai at Kalaupapa on the first call, a second call is to be made at Kalaupapa for the purpose of landing paiai, weather permitting."

In the company's letter, by C. L. Wight, president, it is stated that if the understanding is correct that the Board had contracted with the Parker ranch for the delivery of cattle at the Settlement for two years, that portion of the contract would be waived. The tender is further made subject to the condition that the steamer receiving the contract shall be paid the subsidy of \$50 a week additional granted by the Legislature for a common carrier service between Honolulu, Molokai, Maui and Lanai by a passenger steamer.

As already reported in the Advertiser, it is the intention of the company to place the coming new steamer of its fleet in this service.

### TANNERY PROJECTED.

W. H. Heine wrote for permission to locate a tannery somewhere in the vicinity of Honolulu. It would be a small concern, with a capacity of 10 to 20 hides a day.

Dr. Cooper remarked that while a tannery was not supposed to be an insubstantial establishment, it had disagreeable concomitants which made it objectionable within a town.

It was suggested that a site down the railroad might be obtained by the applicant and the matter was left to be dealt with by Dr. Pratt, chief health officer, on his return from Hawaii.

### NEW FISH MARKET.

Mr. Robinson orally reported for the committee on Wong Leong's application for leave to open a fish market. The enterprise appeared to be under promotion by the same parties as were represented in the scheme of W. C. Ahi previously before the Board.

Dr. Cooper repeated what he had said at last meeting on an application of the same kind from Hilo, that the Board had nothing to do with the site of a private market. Its jurisdiction began with the regulating of the sanitary condition of such a place.

On the president's suggestion the matter was referred, like that from Hilo, to the Superintendent of Public Works.

### THE INSANE ASYLUM.

Dr. Mays read the following report of his own from the Insane Asylum committee on which action was taken as noted below:

"As chairman of the committee on Insane Asylum, I beg to make the following report and suggestions.

"I find that the attendants work in eight-hour shifts. This is a custom to be condemned. Attendants should do their regular day's work and be relieved in the evening, as in all hospitals by the night attendants.

"Attendants wishing leave of absence have hitherto been allowed to provide a substitute to temporarily fill their place. This is a custom also open to criticism. The selection of an employee, either temporary or otherwise, is a duty and a responsibility that belongs entirely to the superintendent.

"The names of all persons employed in the Asylum under pay, whether temporarily or otherwise, should appear on the monthly pay roll. No disbursement, however small, should be made by the superintendent without the proper voucher therefor.

"Turning to the women's department there is much that needs to be done. First and foremost is the urgent need of a matron of the institution, in whose hands should be intrusted the internal management of the female department together with the supervision of the 25 female inmates and their attendants. I am aware that there is no appropriation for the salary of such an official, but I feel it my duty to call attention

to the need of a matron. "I find also a singular absence of such measures for the protection and seclusion of these hapless creatures as their sex entitles them to. Perhaps no other place in the civilized world could be found where insane patients of both sexes are turned out to occupy all day long the same recreation ground. Yet such is the condition of things here. It is true, the attendants are on the alert to keep the female patients at their end of the ground, and the male patients at the other side, but that does not sufficiently remedy the evil. The only way to do so is to construct a board fence across the recreation ground and continue it so as to enclose the whole female department.

"For the protection of the patients, the windows of the female wards require to be barred. One of the dormitories, containing six beds, is entirely without bars, the windows offering every facility for ingress or egress.

"Putting the several recommendations into the form of a motion, I move:

### THE ACTION TAKEN.

"1. That the present arrangement of eight-hour shifts for attendants be abolished at the end of the present month, and that a system of day and night service be substituted therefor."

Referred to Dr. Malster, superintendent.

"2. That the attendants be so long required to provide a substitute for temporary absences, that duty belonging to the superintendent."

Adopted.

"3. That the superintendent shall see that the pay roll fully sets forth the names of every person employed, with the amount due to each person."

As the law requires this, no action was deemed necessary.

"4. That a matron be appointed, if any way can possibly be found to do so, preferably one who has had experience in insane asylum work."

Carried.

"5. That a six-foot board fence be erected, enclosing the female department and the female recreation ground."

Deferred till next meeting.

"6. That bars be placed on all the windows of the female wards and dormitories."

Adopted.

### NEW ASYLUM SITE.

Incidental to the foregoing, the question of a site for the new asylum buildings provided for in the loan appropriations by the Legislature was discussed.

The site at Kalihi reported the other day as having been as good as selected did not seem to meet with any favor. It was objected to it that, being in the path of city expansion as well as lying between Honolulu and the Pearl Harbor naval station, the location would ultimately come to lack the desirable quality of privacy. With the railway on one side and the electric car line on the other it would not have the essential element of quietness. Moreover, the projected hotel ranch at the Herbert place would be in too close proximity.

The Asylum committee was advised to keep an eye out for a site and ascertain what government land might be available therefor.

### TUBERCULOSIS IN CATTLE.

A letter dated July 14 was received from C. Bolte, saying:

"I have received on my Hecla ranch from August to October last year 28 cows from Mr. H. R. Macfarlane's Ahulmanu ranch. Twelve of these cows died during the six months from December to June. Dr. Monsarrat examined the eleventh cow and declared tuberculosis to be the cause of its death. Parts of the lungs of the eleventh and twelfth dead cows I send you herewith. On June 22 Dr. Monsarrat examined the remaining 14 Ahulmanu cows and I understand that he found seven of them to be tuberculous. Will you please, inform me whether Dr. Monsarrat's diagnosis is correct, and if so instruct me as to what I am to do with these seven sick cows."

President Cooper gave the opinion that it was necessary to get at the bottom of this trouble. On his suggestion it was voted that Dr. Pratt make a thorough investigation on his return to Honolulu.

### VARIOUS MATTERS.

A resolution defining the duties of the president, which the legislature neglected to do while changing the status of the office, was referred to a committee including the Attorney General and Attorney Kane.

Upon the report of a committee of the medical members it was decided to fumigate inter-island steamers once in three months.

S. Kellinoff and D. Fall were awarded

the contract for supplying paiai to the Settlement, their tender for 80 cents the 25 pounds f o b, being the most favorable out of six. The cost will be about \$960 a month and a bond in \$10,000 will be required.

The report of the Food Commissioner was acted upon as elsewhere reported.

In the reading of the pay roll a question was raised about a payment partially to certain government physicians. The answer was that the Legislature had fixed the salaries in those cases.

### VISIT TO MOLOKAI.

With regard to the annual visit of the Board of Health to the Leper Settlement details were left to be arranged by the president, but it was voted as the sense of the meeting that only members of the Board and Government officers having business should form the expedition. The reasons given were that the Legislature's visit with a large train of outsiders had taken place recently, that it was desirable to have the official inspection unhampered by a crowd and that the accommodations were limited.

## FIRE CLAIM MONEY NEARLY ALL PAID

Three-fourths of the million dollars for the reimbursement of fire claimants has been paid out by the First National Bank. Cashier Cooper stated yesterday at the close of business that the total payments aggregated \$750,000.

The taking up of the bonds authorized by Congress is keeping pace with the payment of the cash. Two-thirds of the \$325,000 issue authorized has been taken in payment for the Territory's share of the fire claims. Yesterday Registrar Hapai announced that \$210,000 in bonds had been sold. Most of this amount went to the Japanese and Chinese claimants, but many individual claimants availed themselves of the privilege of taking bonds in preference to waiting for their sale by the government.

## NEW ASSISTANT FOR ANDREWS

Noah Aluli has been appointed as assistant in the office of Attorney General Andrews, his commission to date from August 1st. Aluli was assistant clerk in the Senate during the regular and extra sessions. He is a graduate of the Michigan University at Ann Arbor and was admitted to the bar in that State. He has also been admitted by the Hawaiian Supreme Court.

## THE BOARD'S TRIP TO MOLOKAI

The annual visit of the Board of Health to the leper settlement will be made on Saturday. The Lehua was chartered yesterday to convey the party to Kalaupapa. The visit will probably be more extended than usual as it is the Board's intention to give a medical examination of such persons where the first diagnosis was somewhat doubtful.

### Wahiau Notes.

Many residents of Honolulu are enjoying the bracing air of Wahiau. The Christian Association cottages, which, by the way, are very neat and cozy, are occupied most of the time.

Miss Harriet Needham returns to Honolulu today, after a week's visit at the colony the guest of the Misses Clark.

The Hawaiian Pineapple Company canned their first fruit yesterday, the 13th. They will have a busy summer. The fruit is very fine. The Hawaiian Fruit and Plant Company are shipping a fine lot to San Francisco.

Mr. Eames is hauling cane to the Wailua mill, very good cane grown without irrigation or fertilizer.

In the official advertisement of the salary bill yesterday the salary of the Road Supervisor should have appeared at \$1200 instead of \$10,036.50.

### SCOTT'S EMULSION

is for babies and children who are thin and pale when they ought to be fat and ruddy; for men and women who are weak and delicate when they ought to be strong and hearty—for all who are not getting proper nourishment from their food.

Poor blood, thin body, open the door for disease. Scott's Emulsion bars the way. Makes the blood richer, produces healthy flesh and above all provides nourishment.

Avoid these so-called wines, cordials and extracts of cod liver oil that are prepared for the taste only, contain none of the value of cod liver oil and which contain a large percentage of alcohol. Scott's Emulsion has been the reliable cod liver oil preparation for over a quarter of a century.

We'll send you a sample free upon request. SCOTT & BOWNE, 409 Pearl Street, New York.

# ALL WANT TRANSPORTS

## The Builders and Traders Are On Record.

The Builders and Traders Exchange added its voice yesterday evening to the general petition by Honolulu Commercial bodies that the United States transports be ordered to again make this a port of call.

A letter to the Secretary of War was drafted and unanimously approved, the exchange establishing a new precedent by ordering that it be given to the press. The petition to be sent to Secretary Root is as follows.

Honolulu, July 16, 1903  
To the Hon. Elihu Root, Secretary of War, Washington, D. C.

Sir: The Builders and Traders Exchange of Honolulu, Territory of Hawaii, would respectfully petition that the United States transport service continue to forward its steamers via the Honolulu route to and from the Philippine Islands and the Orient.

The inducements to the Department in evidence are, the favorable weather conditions by this route, cable communication at three Pacific island stations, free harbor and dock facilities, ample depth of water and safety, ample facilities for repairs, coal supplies and particularly the upbuilding and maintaining of resources for repairs and supplies in his most strategic point in the Pacific and by retention here in time of peace of the skilled mechanics and labor necessary to serve the needs of the United States in time of war.

In turn we, citizens of Honolulu, employ ninety per cent of the skilled labor, believe we should be entitled to all possible governmental support in maintaining an aggressive up to date community, such as will enable us to strengthen the position of the United States to a far greater degree than any other city of its size under the American flag. Certainly the patronage of the government may be of more than temporary benefit to both itself and the citizens of Honolulu in continuing the transport service via the Honolulu route.

Very respectfully,  
THE BUILDERS AND TRADERS EXCHANGE.

By its President,  
A. GARTLEY  
CITIZEN LABOR.

There was a general discussion of the agitation inaugurated by the Exchange for the use of citizen labor on all contracts. L. E. Pinkham was appointed a committee of one to visit Supt. Cooper in regard to the work on the Kaplani Maternity Home. It was stated at the meeting that alien labor is employed on the building, and that the Maternity Home receives an allowance from the government. This it is claimed makes the hospital amenable to the new law passed by the legislature prohibiting the employment of any but citizen labor on public works.

A new system of collection was adopted by which all members of the exchange secure the services of the secretary for this purpose for a nominal charge.

## PROGRESS OF THE RAPID TRANSIT

Work on the new Kaimuki line of the Rapid Transit was started by Lord and Belser this week. They have the contract for doing the excavating from the Manoa street out towards Waianae to the crest of the hill. The Rapid Transit is doing all the work, laying the road from the present end of the line to the Manoa stream and expect to have the track laid as far as the stream by the time the contractors have their part of the work finished.

Lord and Belser have sixty five days in which to do the work and it is not at all unlikely that they will finish before the expiration of the time allotted. The end of the new line will be nine thousand five hundred feet from where the line ends now at the baseball tract.

The line along the waterfront Manager Ballentine hope to have in running order the latter part of next week. It is finished from the point where the King street line crosses the Nuuanu stream along the waterfront to the corner of Allen and Alakea streets. The rest of the line from there along Allen street to the Honolulu Iron Works is now in process of construction. When opened for business the Alakea street line will end at the Fishmarket, connecting with the new waterfront line.



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OF LONDON, FOR FIRE AND  
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The Ewa Plantation Company.  
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The Kohala Cigar Company.  
The Waiamea Sugar Mill Company.  
The Fulton Iron Works, St. Louis, Mo.  
The Standard Oil Company.  
The George F. Blake Steam Pumps.  
Weston's Centrifugals.  
The New England Mutual Life Insurance  
Company, of Boston.  
The Aetna Fire Insurance Company,  
of Hartford, Conn.  
The Alliance Assurance Company, of  
London.

**Castle & Cooke.**  
—LIMITED—  
**LIFE and FIRE**  
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**New England Mutual Life Insurance Co**  
OF BOSTON.  
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OF HARTFORD.

**THE NEW FRENCH REMEDY.**  
**THERAPION.** This successful  
remedy, used in the Continents of Hospitals by Ricord,  
Rostan, Jobert, Velpeau, and others, combats all  
the disorders to be sought in a medicine of the  
kind, and surpasses every other remedy employed.  
**THERAPION NO. 1** maintains its world  
renowned and well merited reputation for derange-  
ments of the kidneys, pains in the back, and  
kindred ailments, affording prompt relief where  
other well tried remedies have been powerless.  
**THERAPION NO. 2** for impurity of the blood,  
scanty purities, blotches, pains and swelling of  
joints, gout, rheumatism, and all diseases for which  
it has been too much a fashion to employ mercury,  
sarsaparilla, etc., to the destruction of sufferer's teeth  
and ruin of health. This preparation purifies the  
whole system through the blood, and thoroughly  
eliminates all poisonous matter from the body.  
**THERAPION NO. 3** for exhaustion, sleep-  
lessness, and all distressing consequences of  
disruption, worry, overwork, etc. It possesses  
surprising power in restoring strength and vigor to  
those suffering from the enervating influences of  
long residence in hot unhealthy climates.  
**THERAPION** is sold by the principal  
chemists and druggists throughout the world.  
Price in England, 2s. 6d. and 1s. 6d. In re-  
spective states which of the three numbers is re-  
quired and observe that the word "THERAPION"  
appears on the British Government Stamp (in  
white letters on a red ground) affixed to every  
genuine package by order of His Majesty's Hon-  
orable Commissioners, and without which it is a forgery.

**CANADIAN PACIFIC RAILWAY**  
The Famous Tourist Route of the  
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In Connection With the Canadian-  
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To All Points in the United States  
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Tickets to All Points in Japan, China,  
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apply to  
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Agents Canadian-Australian S. S. Line,  
Canadian Pacific Railway.

**GOOD MEN  
LEAVE EWA**

**To Take Positions in  
Widely Sundered  
Lands.**

On July 11 the employees of Ewa  
plantation gave a farewell dance com-  
plimentary to Mr. and Mrs. D. B. Mur-  
doch and Mr. J. C. Penny. The pavil-  
ion was beautifully decorated for the  
occasion and all enjoyed themselves to  
the full. Dancing was kept up until  
midnight and under the eye of David  
Douglas, the veteran M. C., nothing  
lagged. The music was supplied by  
the Ellis club and was much appreciated.

At an opportune stage Mr. Renton,  
in a happy speech, presented Mr. Mur-  
doch with an autograph album, in  
which those present registered their  
signatures. To Mr. Penny was pre-  
sented a tennis racket with silver  
shield suitably engraved. Mr. Penny,  
who has been chemist here for the past  
four years, leaves to take up a position  
under the Queensland Government  
assisting Dr. Maxwell.

On Sunday a service of praise was  
held in the plantation church, which  
was crowded. The Ewa male quartette  
rendered in perfect taste and harmony  
a beautiful and varied selection of an-  
thems, and solos were effectively sung  
by Mr. Renton, Mike O'Dowda and D.  
Fenton Mann. Miss Craig as usual per-  
formed the accompaniments on organ  
and piano. Much praise is due this  
lady for her untiring efforts in the  
cause of music on the plantation.

Harry Voss, formerly engineer here,  
leaves in the Alameda to take a position  
under W. J. Lowrie in Porto Rico.

**KAMALO HAD A  
HOT TALKFEST**

(Continued from page 3.)  
ed to know why a meeting was called  
when no report was ready.

Dr. Mouritz said the meeting was  
called without authority, the call being  
signed by the auditor. Craig said he  
knew the directors had a thankless job,  
but they should report, and Dayton  
said he expected the report to be made,  
and suggested that the proper way was  
to adjourn.

Dee said he had reported all he could  
find as auditor, and his report was in  
the president's hands. Dayton said he  
had left it at his office, but would go  
after it.

Mr. Craig suggested that there ought  
to be a report from the manager of the  
plantation.

Dr. Burgess said he wanted to know  
first if the meeting was legal and Dee  
replied that it had been called at the  
request of Mouritz by the president  
and himself, as two directors. Dr.  
Mouritz replied that he had requested a  
meeting last February, because he was  
utterly disgusted with the way affairs  
were run; that he was the largest  
stockholder, but though he wanted a  
meeting, the call signed by the auditor  
was not legal.

The chairman suggested that the only  
question was as to whether the meet-  
ing was legal or not. Mouritz said he  
wanted a meeting, in fact was hungry  
for it. Mr. Dee suggested that techni-  
cal objections be waived and that a  
new meeting be called.

Mr. Craig objected that a week's no-  
tice was required and Dr. Burgess  
suggested an opinion from Mr. Magoon,  
who was present.  
"Will he give it for nothing," asked  
Dr. Mouritz.  
"He's been laid out of the \$7500," was  
the reply from back in the hall.

Mr. Magoon did give an opinion then,  
that the meeting was called by the  
auditor who had no authority, and that  
the action of the meeting would not  
bind absent stockholders. He suggested  
that in view of the importance of the  
matters to be discussed that there  
should be no question of its validity  
and that a new meeting ought to be  
called.

F. H. Foster suggested that as Mouritz  
owned a third of the stock he might  
call a meeting, and Dee said he re-  
presented a half of the stock. Craig  
protested to the putting of the question  
and President Dayton then ruled that  
the meeting was illegal.

Dr. Burgess suggested a new call for  
a meeting, and Dr. Mouritz thought  
the out of town stockholders should be  
considered.

Mr. Dee asked that a letter be sent to  
Hitchcock requiring him to be present.  
Dr. Mouritz suggested August 1st as a  
meeting night and this was fixed as  
the meeting night, with Magoon's office  
as the place.  
Mr. McPetridge suggested that a  
committee of five be appointed to in-  
vestigate the conduct of H. R. Hitch-  
cock and determine what action should  
be brought and this was put in the  
form of motion.  
Mr. Cunningham suggested that Dee's  
report showing a shortage of \$400 was  
sufficient. The motion to appoint a  
committee of three was finally carried  
unanimously. Dee objected as a re-  
flection upon the work of the auditor, but  
was told on all sides that it was to be  
an investigation of the man and that  
his report was not questioned. The  
chair appointed Dr. Burgess, Sullivan  
and Dee. Dr. Mouritz refused to serve  
because of the feeling that existed be-  
tween himself and Hitchcock and Cun-  
ningham declined for the same reason  
and Sirer said that Dee's report sat-  
isfied him.  
Mr. Dee made another statement

**CANDIDATES FOR DISTRICT  
COURT BENCH VACANCY**

Governor Dole yesterday wrote a let-  
ter to Auditor Fisher, informing him  
that Lyle A. Dickey, Second District  
Magistrate of Honolulu, would act as  
First District Magistrate, and Geo. A.  
Davis, of late acting as First District  
Magistrate, would act as Second Dis-  
trict Magistrate until further notice.  
This action disposes of the succession  
to the late Judge Wilcox until after  
the Governor's return from his cruise  
in the U. S. S. Iroquois to the other  
islands.

Inquiries made amongst the legal  
fraternity yesterday regarding the  
matter of a permanent appointment to  
the vacant first city judgeship found  
the situation as yet nebulous. There  
are some aspirants and there are some  
names put forward without consulting  
their owners.

Gardner K. Wilder has sounded a  
few brother attorneys on his own be-  
half.  
Chas. L. Hopkins, one of the Hawai-  
ian interpreters in the higher courts,  
has warm advocates. He is recom-

concerning the \$20,000 fee and its re-  
duction to \$7,500. He said he accom-  
panied the lawyers to court and that  
Magoon was the only one who objected  
to paying out the money because the  
judgment had not been satisfied. "If  
it was my own individual case," said  
Dee, "Judge Humphreys would hear  
from it yet. If it was my own busi-  
ness that money would stay in court  
until the \$3,000 is paid."

Mr. Dayton said that the meeting  
though illegal showed that the stock-  
holders would finally come together in  
harmony. Upon motion of Dr. Burgess  
a vote of thanks was given to Mr. Dee  
for his Herculean efforts in behalf of  
the company.

**WOULD DISBAR DAVIS.**

Mr. Dee made a further statement to  
the effect that the company needed but  
\$15,000 to pay its debts, and the direc-  
tors had authorized him to raise the  
money and the indications were favor-  
able for this.

"There is one claim against us in a  
lawsuit, that of the Hawaiian Hard-  
ware Co. for \$1,400," said Dee. "Geo.  
Davis, while acting for the Kamalo Sug-  
ar Co., secured information which he  
exercised against us in this case. I  
ought to have let him go on and then  
brought proceedings to have him dis-  
barred. We put the money in the First  
National Bank and then took it out  
where no one could get it. It made a  
heap of trouble and cost me \$5,000. They  
wanted to put the company into bank-  
ruptcy through Naughton and the  
Worthington Co."

Mr. Dee said further that he had got  
an injunction which saved the com-  
pany, and after he had done that Mc-  
Corriston and McClain wrote to him  
and asked him to do it, not knowing it  
was already done. He said further that  
there were four purchasers in the field  
for the plantation and there was a  
chance for everyone to get fifty cents

**The Planters' Monthly**

This magazine is now in the twenty-second year of its  
publication.

It is especially devoted to the agricultural, more particu-  
larly sugar interests, of the Territory of Hawaii.

It contains all of the proceedings of the Meetings of the  
Hawaiian Sugar Planters Association, including the detailed  
reports concerning Machinery, Fertilizers, Methods of Cultiva-  
tion, Transportation and Manufacture and many other sub-  
jects vital to the sugar business.

It contains a Directory of the sugar plantations of the Ter-  
ritory, their agents and managers.

It contains a Directory of the corporation stocks and bonds  
listed on the Honolulu Stock Exchange, showing the capital,  
shares issued, par value and price at last sale.

It contains carefully selected news of the sugar situation  
progress, and prospects in Hawaii and throughout the world.

It contains news of the development of all local indus-  
tries of an agricultural character, and the best that is pub-  
lished in a wide circle of exchanges, concerning tropical agri-  
culture.

With the back volumes it forms an invaluable reference  
library concerning the agricultural development of Hawaii  
during the past twenty odd years.

Subscription price 25 cents per copy; \$2.50 per annum.  
\$3.00 foreign.

Back numbers can be furnished.

Apply to

**Hawaiian Gazette Co., Ltd.**  
HONOLULU, TERRITORY OF HAWAII

**THE DENGUE  
EVERYWHERE**

**Doctors Do Not Appear  
Much Concerned  
About It.**

Government physicians for 14 out of 23  
districts reporting to the Board of  
Health for June state that dengue fever  
has been a prevalent disease in their  
respective districts. Some of them  
seen not to regard the fact as serious,  
for under the question as to the gen-  
eral public health they answer it is  
good.

Dr. P. R. Waughop says diarrhoea has  
been prevalent in Kealia and Hanalei,  
Kauai. Dr. W. F. McConkey, for Ma-  
kauao, Maui, reports whooping cough  
and mumps as the predominant ail-  
ment. Enteric fever has been the chief  
bane of Oiaa, Hawaii, according to Dr.  
R. G. Curtis.

Doctors reporting dengue fever are  
these: C. R. McLean, Waimoa, Kauai;  
Hubert Wood, Waiialua, Oahu; A. Mou-  
ritz, leeward Molokai; R. H. Dinegar,  
Kihel and Kula, Maui; R. J. McGetti-  
gan, Hana, Maui; B. D. Bond, North  
Kohala; John Atcherley, South Koha-  
la; W. B. Deas, North and South Ko-  
na (two reports); C. B. Greenfield, Ha-  
makua; Fredk. Irwin, North Hilo; C.  
L. Stow, South Hilo; J. Holland, Pu-  
na; L. S. Thompson, Kau.

Those reporting no disease of any  
kind as unusually prevalent are the  
following named doctors: E. S. Good-  
hue, Kohala and Lihue, Kauai; C. A.  
Davis, Ewa; T. McMillan, Waianae; J.  
Molony, Koolauloa and Koolapoko;  
Chas. Davison, Lahaina; J. Weddick,  
Wailuku.

Dr. McGettigan, Hana, is the only  
one to assert that tuberculosis is in-  
creasing in his district. Two answer  
they think not, while all the rest give  
a plain negative.

Dr. Davison urges the need of a  
sewer system for Lahaina. All of the  
other physicians appear to be satisfied  
with conditions, for none of them have  
anything to suggest in the recommen-  
dation column.

**BLACK LIST  
RECRUITED**

Inferior Milk Samples  
From Four New  
Sources.

E. C. Shorey, Food Commissioner, in  
his report of work for the month of  
June, says ninety-nine milk samples  
were examined, of which all but four  
were found up to or above standard.  
Those found below standard came  
from the following-named milkmen: J.  
Pulaa, Williams for Dairymen's Asso-  
ciation, M. Cabral and a Japanese for  
Lishman. These, Mr. Shorey says, are  
all new to the "black list" and of the  
four Williams has been discharged and  
Cabral has gone out of the milk busi-  
ness.

The Commissioner proceeds with his  
report thus.

"I wish to ask whether, in the opin-  
ion of the Board, it is necessary to give  
milk dealers written warning the first  
time a sample of milk is obtained from  
them below standard. Four years ago,  
when I first took charge of this work,  
I was instructed to give such written  
warning but there was no publication of  
names in my monthly reports as  
now. Later, when the plan of pub-  
lishing names was adopted, I dropped  
to a certain extent the giving of writ-  
ten warnings. If the Board is of the  
opinion that the written warnings  
should be continued I wish to be so in-  
structed. My own opinion is that, in-  
asmuch as the law does not require  
anything of the kind, publication of  
names is sufficient.

"The examination of samples other  
than milk collected or sent in during  
the month has not been completed.

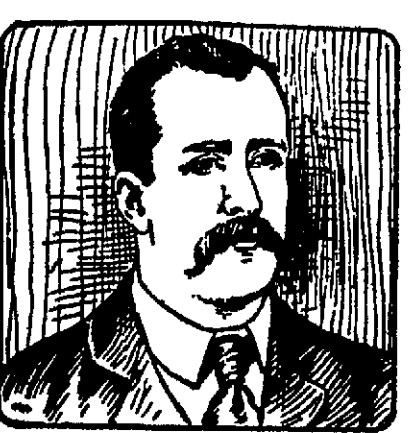
"Some necessary repairs in my office  
and laboratory have been made by the  
Department of Public Works and in  
consequence I was obliged to suspend  
operations for one week."

When the report was read at yes-  
terday's meeting it was voted, in an-  
swer to Mr. Shorey's question, that  
warning to milk dealers other than  
publication of the names of those fur-  
nishing an article below standard was  
unnecessary.

Albert Barnes, F. T. P. Waterhouse,  
Henry Davis and Charles Girdler are  
mentioned as candidates for the new  
office of Insurance Commissioner. The  
Treasurer has the appointing

**Impure Blood**

Impure blood will always make you  
sick. You suffer from headache, great  
depression, indigestion, sleeplessness,  
a bad skin, extreme exhaustion, and  
you can hardly drag yourself about.



Read what Mr. H. J. Matthews, of Well-  
ington, New Zealand, says about this. He also  
shows his photograph.  
"I have suffered a great deal from impure  
blood, especially from boils on my arms and  
back. I felt weak all over and was greatly  
depressed. I began to use Ayer's Sarsaparilla.  
After taking only a little of it I felt better,  
and soon my troubles disappeared. I believe  
this medicine is the best blood-purifier and  
the strongest tonic that any one can buy."

**AYER'S  
Sarsaparilla**

There are many imitations "Sarsaparillas."  
Be sure you get Ayer's.

Use Ayer's Pills every time your bowels be-  
come constipated, or when you are bilious or  
have sick headache. They cure quickly.

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U.S.A.

HOLLISTER DRUG CO., Agents.

**Our Best Advertisement**

**Pure Drugs**  
and  
**Chemicals**  
**TOILET ARTICLES**  
and the choicest  
line of  
**PERFUMERIES**

At Reasonable Prices. Call  
and Convince Yourself.

Prescriptions a Specialty.

**Hollister  
Drug Company.**  
Fort Street.

**CHAS. BREWER CO.'S  
NEW YORK LINE**  
**FOOHNG SUEY**  
Sailing from  
**NEW YORK TO HONOLULU**  
On or about July 15. FREIGHT  
TAKEN AT LOWEST RATES.  
For freight rates apply to  
**CHAS. BREWER & CO.**  
27 Kilby St., Boston,  
or **C. BREWER & CO.,**  
LIMITED, HONOLULU.

**MOANA HOTEL . .**

**WAIKIKI  
BEACH**

**RAPID TRANSIT ELECTRIC  
CARS** arrive at, and depart from,  
the main entrance to the Moana  
Hotel every ten minutes.

**MOANA HOTEL CO., LTD.**

**THE CLIFTON**

T. E. JAMES, Proprietor.

Private apartments, en suite and sin-  
gle. Finest appointed and furnished  
house in Hawaii. Mosquito proof  
throughout. Hotel street, near Alakea.





**Hamburg-Bremen Fire Insurance Co.**

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of  
F. A. SCHAEFFER & CO., Agts.

**German Lloyd Marine Insur'ce Co.**

OF BERLIN.  
**Fortuna General Insurance Co.**  
OF BERLIN.

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFFER & CO.,  
General Agents.

**General Insurance Co. for Sea River and Land Transport.**

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFFER & CO.,  
Agents for the Hawaiian Islands.

**YOUR SUGAR CROP**

Depends on the right quantity and quality of Ammoniates it has to feed upon. Nitrogen (Ammonia) being the principal material removed from the soil by sugar cane.

A few dollars' worth of

**NITRATE OF SODA**

(The Standard Ammoniate)

fed to each acre of growing cane will give surprising results.

Planters should read our Bulletins giving results of Agricultural Experiment Station trials. They are sent free. Send name on Post Card.

**WILLIAM S. MYERS, Director.**  
12-16 John St., New York,  
U. S. A.

**MAY DELAY THE APPOINTMENT**

The legislature in its wisdom and hurry made many queer mistakes. The queerest had to do with the appropriation for advertising and immigration agent of which none of the legislators seemed to be certain. The money to be spent by the immigration or advertising commissioner is divided: \$15,000 in the six months' bill and \$5,000 in the eighteen months budget. The larger sum is in control of Secretary Carter, while the smaller is in charge of Treasurer Kepoika.

The commissioner however is to be appointed by Treasurer Kepoika and there is a salary of \$3900 provided for the two years, while the appropriation with which he has to deal amounts only to \$5,000. The treasurer is considering the advisability of delaying the appointment at least until after January when his appropriation for expenses becomes available.

**County Act Publication.**

(From Thursday's Daily.)

Bids for printing the County Act were opened by Secretary Carter yesterday and the award made to the Bulletin Publishing Co., at \$3.66 per page for 5000 English copies. For 2500 Hawaiian copies, the Hawaiian Gazette Co., bid \$3.80 a page, no time stipulated; Bulletin Publishing Co., \$2.73, deliverable in eleven days; Home Rule Printing Co., \$5.25, deliverable in forty days.

Secretary Carter estimates the English edition, at the lowest bid, will cost \$550, and the Hawaiian \$475, which makes a total above the specific amount of \$1000 appropriated for the purpose. He asked the Legislature for \$5000 for the advertising and printing expenses of his department. This was granted with a rider of \$1300 additional for printing the County Act. Whatever deficiency there may be in the contract price will come out of his general appropriation.

Secretary Carter is expediting as much as possible the publication of the Session Laws, and to avoid delay in getting out the County Act he abandoned taking the trip to the other islands with Governor Dole in the U. S. S. Iroquois, though he is very desirous of studying land and other public questions by personal investigation of the premises so as to discuss matters intelligently in Council.

**SUMMER COMPLAINT** is the children's most dangerous enemy and the mother's most dreaded foe. Immediate and proper treatment is always necessary. Chamberlain's Colic, Cholera and Diarrhoea Remedy, given according to directions, is the most effective remedy known. Every household should have a bottle at hand. Get it today. It may save a life. All Dealers and Druggists sell it. Benson, Smith & Co., Ltd., Agents for Hawaii.

Father Libert, Bishop of Zeugma elect, left in the Alameda to confer with the Archbishop of San Francisco regarding his consecration, being accompanied by Father Sylvester.

**ABOUT TWO SECURITIES**

(Continued from page 2.)

that the minor itself would be liable at the common law."

Victoria, a minor, by her next friend brought an action in trespass against the defendant to recover \$1000 damages for personal injuries resulting from gunshot wounds inflicted by the defendant's son. The jury found a verdict of \$200 for the plaintiff. The opinion gives the following statement of the cause of action:

"It appears that the defendant's son, a minor, while playing with a shotgun, claimed 'that he did not know it was loaded,' pointed it at the plaintiff who happened to be near by, and went through the act of shooting, with the result usual in such cases. The gun was loaded and the charge of birdshot took effect in the plaintiff's face and one eye, completely destroying the sight of the eye and injuring her otherwise. The gun belonged to a Japanese employed by the defendant and was taken by the boy from the veranda of the house where it had been placed by the owner. The shooting was not in the presence of the father and it does not appear that he knew that the boy was playing with the gun prior to the shooting."

Judge Hardy charged the jury that the defendant was liable for the injury done by his minor son. Defendant excepted to this instruction, contending that the question of liability should have been submitted to the jury under proper instructions. On this exception and on the refusal of the court to give two instructions requested the defendant appealed. Justice Galbraith says of the latter ground of appeal: "These instructions set out a reasonably fair statement of the law relating to the criminal liability of infants, but this was not the law applicable to this case."

The exceptions are overruled, therefore the verdict stands. Smith & Lewis and Louis J. Warren for defendant; no brief for plaintiff.

**ODD NOTES.**

The First National Bank of Hawaii and M. L. Cahn, assignee, have severally discontinued their suits for debt against the Hawaiian Supply Co., Ltd., with the Fireman's Fund Insurance Co. et al., garnishees.

In the case of Macfarlane & Co., Ltd., vs. D. H. Kahalelelo, defendant answers with a general denial.

Marian Reed Austin for herself answers the complaint in foreclosure of mortgage made by Geo. F. Austin against her and her husband, Herbert C. Austin. She admits that she executed a certain instrument the tenor of which she did not nor does not know except by hearsay, but denies that it was a mortgage and, if it was, that the conditions have been broken to the extent of meriting foreclosure.

The trustees of the Lunallilo Estate have brought a suit to foreclose mortgage against M. G. Silva and W. E. Fisher, receiver in the Silva divorce case.

Caroline Haughton has brought a partition suit against Percy K. Mossman, a minor, et al., for Emma street property.

Mary E. Foster is suing foreclosure of mortgage against Ernest Kaal.

Judge Gear heard the Teixeira divorce case yesterday.

Judge Estee was engaged yesterday hearing the admiralty suit of Samuel Gourley, master, and Redmond P. Doran, mate, against the Matson Navigation Co., claiming wages under an alleged engagement to bring the steamer Charles Counselman from Hilo to Honolulu.

**GIRLHOOD'S PERILS.**

"Sweet sixteen" is an age of which poets have sung rapturously. Mothers know that girlhood is not all romance and roses. The growing girl needs plenty of strength to fit her for the duties of maturity. There is but one real source of strength, and that is digested food. But so many lassies in the early teens will not eat what is good for them; they have no appetite, they say, and even when they do force food down their throats, it disagrees with them. Hence they are gaunt, white-faced and narrow-shouldered. Kind friends of the family remark that the darling of the household is going into a decline, or that she looks as if galloping consumption might get hold of her some day. Let no mother be scared. Thousands of just such slender, debilitated, fragile girls have grown into rosy, handsome, robust women because they built and toned themselves up with **WAMPOLE'S PREPARATION** which is palatable as honey and contains the nutritive and curative properties of Pure Cod Liver Oil, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. It does all that plain cod liver oil does in making flesh and blood and does it better. Dr. P. A. David, Professor of Chemistry, Bishop's College, Montreal, says: "I have used your preparation of cod liver oil both in my hospital and private practice, with results uniformly satisfactory, and consider it one of the best reconstructive tonics before the profession to-day; its palatability is also a most important and attractive feature." As sure of victory as water is sure to quench thirst. Try it and see how much sweeter life is without weakness, pain or worry. "It cannot disappoint you." Sold by all chemists here and everywhere.

**DID WE BUY A GOLD BRICK OF THE SPANIARDS?**

(ASSOCIATED PRESS CABLEGRAMS)

LONDON, July 15.—In the lobby of the House of Commons today it was reported that the United States had seized a group of islands off Borneo which is owned by Great Britain.

WASHINGTON, July 15.—The group of islands off Borneo which is claimed by Great Britain is Cagayan. It was purchased from Spain in the Treaty of Paris and the American flag was formally raised over it.

**WYOMING HAS A MAMMOTH BEET SUGAR ENTERPRISE**

CHEYENNE, July 15.—A project backed by the Havemeyers has been incorporated with a capital of several millions to develop the beet sugar interests of Laramie County.

AUGUSTA, Maine, July 15.—Mrs. Harriet Blaine, widow of the late James G. Blaine, died today at the old Blaine homestead in this city.

ST. PETERSBURG, Russia, July 15.—The Czar has issued an edict contemplated to allay much of the distrust among the working classes of the country and it is hoped will act as preventive against the many outbreaks against the civil authorities. The edict abolishes many of the harsh punishments to which laborers have been subject for infringement on regulations made by employers. Factory employes are further given the right to representation in conferences with the inspectors.

**METEOROLOGICAL SUMMARY FOR MONTH OF JUNE, 1903**

Temperature mean for the month, 76.0; normal, 76.0; average daily maximum, 82.2; average daily minimum, 69.9; mean daily range, 12 degrees; greatest daily range, 20 degrees; least daily range, 5 degrees; highest temperature, 85; lowest, 65.  
Barometer average, 29.989; normal, 30.011; highest, 30.12; lowest, 29.93; greatest 24-hour change, .08; "Lows" passed Honolulu, 16th; "Highs," 1st, 2nd, and 27th.

Relative humidity average, 70.1; normal, 71.0; mean dew point, 64.9; normal, 65; mean absolute moisture, 6.74 grains per cubic foot; normal, 6.83.  
Rainfall, 1.36 inches; normal, 1.52; rain record days, 15; normal, 19; greatest rainfall in one day, 0.40, on the 2nd; total at Luakaha, 13.43; normal, 8.63; at Kapiolani Park, 0.39; normal, 0.35.

The artesian well level fell during the month from 34.65 feet above mean sea-level to 34.18; June 30th, 1902, it stood at 33.50. The average daily mean sea-level for the month was 9.78; the assumed annual mean being 10.00 feet above datum. For June, 1902, it was 9.78.

Trade wind days, 28 (two of ENE); normal, 26; average force of wind during daylight, Beaufort scale, 2.3; average cloudiness, tenths of sky, 3.8 normal, 4.0.

Approximate percentage of district rainfall as compared with normal: Hilo, 60 per cent; Hamakua, 23; Kohala, 34; Waimea, 40; Kona, 38; Kauai, 142; Puna, 73; Maui, 135; Oahu, 110; Kauai, 135. The heaviest 24-hour rainfall for the month were at Nahiku, 3.18 on the 4th; Luakaha, 3.07, 3rd, and Mountain View, Oahu, 2.54, on the 9th; the heaviest monthly rainfall, Nahiku, 15.70.

**TEMPERATURE TABLE.**

	Mean	Max	Min	Av	H.	L.
Peepeekeo	100	78.7	69.2	73.3	82	68
Hilo	40	85.1	67.3	75.9	91	65
Kohala	521	80.4	67.2	73.1	84	64
Waimea	2730	74.0	60.0	66.3	78	58
Volcano	4000	72.0	52.8	61.7	82	49
Naalehu	650	81.0	67.0	73.3	92	63
U. S. Exp. Station	350	82.4	69.5	75.2	86	66
W. R. Castle	50	82.6	71.1	76.1	88	66

(Memo.—Peepeekeo for May should have read Max Temp 76.3, not 73.5, and Cor Av 71.9. The heaviest monthly rainfall for May was given as being at Mountain View, Oahu, 11.70 inches; a delayed report from Nahiku, Maui, gives the amount at that place 14.83 inches, which was the heaviest for May.)

Kohala, dew point average, 65.5; humidity, 75.0. Naalehu humidity average, 73.6; barometer average, 29.41; highest, 29.49; lowest, 29.35; greatest, 24-hour change, .07; trade wind days, 28.

Naalehu reports light earthquake on the 9th, at 7:30 p. m.

Heavy gale Waimea, Hawaii, 27th.

Peepeekeo reports fine glow a. m. and p. m. on several occasions during the month.

Kohala reports the lowest June rain record (1.01) with one exception (1897) in twenty years.

CURTIS J. LYONS,  
Territorial Meteorologist.

**RAINFALL FOR JUNE, 1903.**

Stations—	HAWAII.	Pt. Inches	Elev. Rain
Waikaeae	50	4.99	
Hilo (town)	100	4.59	
Kaunakakai	1250	7.11	
Peepeekeo	100	3.17	
Hakalau	200	3.37	
Honolulu	200	2.52	
Puuhoe	1050	4.18	
Laupahoehoe	500	1.75	
Oakala	400	0.33	
Hamakua.			
Kula	250	0.55	
Paailo	200	0.27	
Paauhau	200	0.25	

Honokaa (Mili)	425	0.34
Honokaa (Meinike)	1100	0.18
Kukuihaele	700	1.35
Kohala.		
Niuli	200	1.07
Kohala (Mission)	521	1.01
Hawi Mili	700	0.89
Puakaa Ranch	600	0.56
Puuhoe Ranch	1847	0.71
Waimea	2720	0.88
Kona.		
Holualoa	1350	3.46
Kauakohu Leheula	3500	1.35
Kainaliu	1470	1.32
Kealahou	1580	2.29
Napoopoo	25	1.20
Hoopu	1650	3.73
Hoopu	2500	4.43
Huehue	2000	1.70
Kau.		
Kahuku Ranch	1680	1.60
Honouliuli	15	0.70
Naalehu	650	0.99
Hilea	310	0.80
Volcano House	4000	3.45
Puna.		
Olaa (Mt. View)	1690	7.25
Kapoho	110	2.17
Pahoa	600	5.70
MAUI.		
Kaupo (Mokulau)	235	3.95
Kipahulu	308	4.55
Nahiku	850	18.21
Nahiku	1600	15.70
Hakua	700	3.74
Kula (Waikoa)	2700	2.58
Puomalei	1400	3.20
Haleakala Ranch	2000	1.80
Wailuku	250	0.92
OAHU.		
Punahou (W. Bureau)	47	1.96
Kulaokahua (Castle)	50	1.27
Makiki Reservoir	120	1.66
U. S. Naval Station	6	1.65
Kapiolani Park	10	0.39
College Hills	175	2.16
Manoa (Woodlawn Dairy)	285	9.97
Manoa (Rhodes Gardens)	360	9.97
Insane Asylum	30	1.94
Kalihi-uka	495	7.55
Nuuanu (Hall)	50	1.34
Nuuanu (Wylie St.)	250	3.01
Nuuanu (Luakaha)	850	13.49
U. S. Experiment Station	350	2.17
Lanika (Nahuina)	1150	6.73
Tantalus Heights (Frear)	1360	8.64
Waimanalo	25	1.56
Maunawili	300	6.91
Kaneohe	100	2.92
Ahuimanu	350	3.59
Kahuku	25	0.66
Wahiawa	900	1.99
Waipahu	200	2.20
Moanalua	15	1.15
Pacific Heights	25	2.57
KAUAI.		
Lihue (Grove Farm)	200	3.84
Lihue (Molokaa)	300	3.68
Lihue (Kukua)	1000	9.25
Kilauea Plantation	235	3.11
Hanalei	10	3.87
Wailua	32	0.18
McBryde	850	2.85
Lawai (Gov. Road)	450	5.14
Lawai, West	225	2.15
Lawai, East	800	4.98
Koloa	100	2.31

DELAIED REPORTS FOR MAY.

Wylie Street	3.26
Puuhoe Ranch	1.77
Honokaa (1100 feet)	1.23
Nahiku	14.59

CURTIS J. LYONS,  
Territorial Meteorologist.

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Territorial Meteorologist.

DELAIED REPORTS FOR MAY.

DELAIED REPORTS FOR MAY.

**Sleep for Skin-Tortured Babies**

And Rest for Tired Mothers



In a warm bath with CUTICURA SOAP and a single anointing with CUTICURA, purest of emollients and greatest of skin cures. This is the purest, sweetest, most speedy, permanent, and economical treatment for torturing, disfiguring, itching, burning, bleeding, scaly, crusted, and pimply skin and scalp humours, with loss of hair of infants and children, and is sure to succeed when all else fails.

Complete External and Internal Treatment for Every Humour, consisting of CUTICURA Soap to cleanse the skin of crusts and scales, CUTICURA Ointment to instantly soothe itching and irritation and soothe and heal, and CUTICURA Remedy to cool and cleanse the blood. A few drops are sufficient to cure the severest humours when all else fails. Amst. Depot: S. J. Taylor & Co., Sydney, N. S. W. Sole Agents: Deane & Co., Ltd., Cape Town. For Sale: For Sale, Boston, U. S. A.

A man to whom illness was chronic  
When told that he needed a tonic,  
Said, "Oh, doctor, dear,  
Won't you please make it beer?"  
"No, no," said the doc.,  
"That's Teutonic."

Notwithstanding—there is no tonic to equal the wonderful properties of

**PRIMO LAGER**

REMEMBER—IT'S PURE.

**Official and Commercial Record**

ISSUED

MONDAYS AND THURSDAYS

—BY THE—

**Hawaiian Gazette Co., Ltd.**

VON HOLT BLOCK, KING ST.

**CONTENTS.**

All Territorial by Authority Notices.

Session Laws of 1903.

Probate and Other Court Notices.

Foreclosure of Mortgage Notices.

Partnerships, Notice to Creditors, Etc.

Real Estate Transactions and Deeds Filed.

Plantation Directory





## ARRIVED.

Stmr. Noeau, Pederson, from Hawaii ports, at 11:15 a. m.  
 Wednesday, July 15.  
 Stmr. Kauai, Bruhn, from Kauai ports, at 6:20 a. m., with 1050 sacks sugar, 460 sacks rice, 170 sacks bran, 1300 sacks paddy, 81 bbls. and bags empty bottles, 91 bundles hides, 54 pkgs. sundries.  
 Stmr. Walaalea, Cooke, from Kilauea and Ahukini, at 5:15 a. m., with 1 empty drum.  
 Am. bk. Edward May, Hanson, 13 days from San Francisco, at 4 p. m.  
 Stmr. Lehua, Napala, from Molokai ports, at 5 a. m.  
 Am. schr. Mary E. Foster, Thompson, 21 days from Port Gamble, at 8 a. m.  
 Sch. Lady, from Koolau ports, at 12:50 p. m.  
 Schr. Ka. Mol. Hipo, from Hawaii ports, in the afternoon.

## DEPARTED.

Tuesday, July 14.  
 T. K. K. S. S. Hongkong Maru, Filmer, for the Orient, at 12 m.  
 T. K. K. S. S. Nippon Maru, Green, for San Francisco, at 9 a. m.  
 Stmr. Kinai, Freeman, for Hilo and way ports, at 12 m.  
 H. M. Cabeship Irls, Lacy, for Vancouver, at 9:30 a. m.  
 Stmr. J. A. Cummins, W. Bennett, for Koolau ports, at 8 a. m.  
 Gaso. schr. Eclipse, Townsend, for Maui and Hawaii ports, at 5 p. m.  
 Stmr. Claudine, Parker, for Maui ports, at 5 p. m.  
 Stmr. Mikahala, Gregory, for Eleale, Koloa, Nawiliwili, Ahukini and Hanalei, at 5 p. m.  
 Stmr. Nihau, Thompson, for Walaalea and Kekaha, at 5 p. m.  
 Stmr. Iwalani, Mosher, for Kailua and Punaluu, at 5 p. m.  
 Am. sp. Acme, Lawrence, for New York, at 2 p. m.  
 Wednesday, July 15.  
 S. S. Alameda, Dowdell, for San Francisco, at 10 a. m.  
 Stmr. Lehua, Napala, for Molokai, Maui and Lanai ports, at 5 p. m.  
 Schr. Kaulaekouli, for Kohalaale, at 2 p. m.  
 U. S. S. Iroquois, Rodman, for Lanai, Maui and Mahukona, at 7 a. m.  
 Stmr. Walaalea, Cooke, for Kilauea, at 5 p. m.  
 Stmr. Noeau, Pederson, for Hamakua, at 5 p. m.  
 Am. sp. Jabez Howes, Clapp, for Port Angeles, at 1 p. m.  
 Stmr. Kauai, Bruhn, for Kauai ports at 5 p. m.

## KAHULUI.

Arrived July 15. S. S. Argyle, from San Francisco.

## PASSENGERS.

Arrived.  
 From Hawaii ports, per stmr. Noeau, July 14—Miss J. Hall, F. J. Nobriga and 7 deck.

From Kauai ports, per stmr. Kauai, July 15—E. T. Tanbatt, Mr. Blart, Mrs. J. Cooke, Mrs. Holl, J. Nevena, H. Blake and wife, Pa. On, Master R. Smith, J. Carle, Miss Lizzie Kaipo, G. Fairchild, W. A. Kinney and 86 deck.  
 From Molokai ports, per stmr. Lehua, July 15—Miss Sarah Smith, Jack McCorriston and 4 deck.

Departed.  
 For Hilo and way ports, per stmr. Kinai, July 14—Rev. E. G. de Silva wife and three children; Mrs. Nakamura, Rev. M. Man Ming, Wong Yuk Shing, Miss Fisher, Miss Craig, Pang See, G. Woo, H. Hara and wife, Robt. Hawkhurst, Dr. Nagai and wife, Miss A. Victor, Miss E. Victor, Miss L. Barber, Mrs. R. Kauhini, Mrs. A. Akua, H. M. Kanoho and family, H. W. M. Mista's servant, Miss L. Ahu, H. Gorman, F. W. Beckley and wife, Rev. S. W. Kekuewa, J. B. Kaohi, Brother Raymond, Brother Henry, Miss R. E. Woolley, Mrs. Kekuku, S. B. Fujiyawa, Paul Jarrett, A. D. McBryde, A. Fernandez and son, Master Walbridge, Miss A. H. Parker, Miss Hargear, Mrs. Capt. Cameron, Miss Kahanu, Miss Shaw, A. G. Thompson, F. G. Amweg, Brother Charles, Brother Eugene, G. B. Curtis and wife, G. P. Judd, A. W. Carter, Henry Damon, H. W. Mista and wife, child, H. G. Spencer, Geo. Cooke, M. Robinson, Kenneth Brown.

For Maui ports, per stmr. Claudine, July 14—H. P. Baldwin, E. M. Webster and wife, Mrs. G. MacDonald, W. P. Hala and two children, E. Kopke, A. M. Merrill, Wm. H. Hala, W. B. Keenu, S. Kawahao, Mrs. J. Osen, Mrs. R. Kahlua and child, Brother James, Brother Albert, Brother Clarence, Brother Laurence, Lim Chong, Brother Frank, Brother Charles, Brother Maurice, A. Enos and wife, R. W. Wilcox, wife and two children, Mrs. P. Johnson, Lieutenant Shaw, Lieutenant Gordon, Mrs. J. R. Saunders and three children, H. Kolo-moku.

Per stmr. Noeau, for Hamakua—Mr. Guard.  
 Per U. S. S. Iroquois, Rodman, for Lanai, Maui and Hawaii—Governor Dale, Eben Low, E. S. Boyd, A. G. Hawes.

The steamer Kauai sailed for Kauai ports last evening.  
 The Ventura is due from the Colonies Tuesday morning.

The bark St. Katherine sailed from San Francisco yesterday for Hilo.

The steamer J. A. Cummins is due to sail for Koolau ports this morning.

The Anglia will probably finish coal-ing some time today and will sail for London tomorrow.

The City of Peking and the Sonoma are expected from San Francisco on Wednesday morning.

## THE OLD RELIABLE



## Shipping Notes.

(From Wednesday's Daily.)

The Mikahala left for Kauai ports yesterday at 5 p. m.

The Alameda will sail for San Francisco this morning at 9 o'clock.

The schooner S. T. Alexander is discharging 800 tons of coal into the cableship Anglia.

The Noeau arrived from Hawaii ports yesterday morning. She is discharging sugar at the Railway wharf.

The Hongkong Maru sailed for the Orient yesterday at noon. She took a number of passengers from this port.

The Anglia will probably finish taking on 2000 tons of coal on Friday, and expects to sail for London on Saturday morning.

The Kilauea moved from the stream to the Channel wharf yesterday to discharge a cargo of coal for the Pacific Mail S. S. Co.

The cableship Irls sailed for Vancouver yesterday afternoon. After laying a short section of cable near Vancouver the Irls will probably stop at Honolulu in a month's time on her return trip.

The Kinai left at noon yesterday for Hilo. She carried a number of returning Legislators and a crowd of college boys who are bound for Molokai on a hunting trip. The Kinai will stop at Kaunakakai to let the boys land.

An innocent looking truck wended its way up Fort street yesterday afternoon, and few people realized that it was carrying a load of dynamite. A native sat on top of the load and from all appearances seemed to be enjoying the ride.

There was a row on the British ship Acme yesterday morning. She was anchored outside awaiting a crew when the sailors aboard claimed that they had been unfairly treated by a clothes dealer ashore. Harry Flint went out to the vessel. The matter was finally settled and the Acme sailed for Delaware Breakwater in the afternoon.

W. G. Irwin and Company have been made local agents of the China Mutual Steam Navigation Company. The first vessel of that line, the steamer Claverling, is now out twenty-one days from Hongkong for this port, and is due any time. She carries only steerage passengers and freight. The next vessel of the line due here in a month's time is the S. S. Atholl.

(From Thursday's Daily.)

The Robert Hind is loading sugar at Eleale.

The Thessalus is loading ballast at the Kekuanaoa wharf.

The Jabez Howes will sail for Port Angeles in ballast today.

The steamer Kauai arrived from Kauai ports yesterday morning.

The Alameda sailed for San Francisco at 10 o'clock yesterday morning.

The following sugar is reported at Kauai ports ready for shipment: V. K., 300 bags; Mak., 989; G. & R., 79; MeB., 25,932 and H. M. 60 bags.

A private letter from Lihue states that July 7th a large four-masted full rigged wooden ship, deeply loaded, passed Kauai, headed southwest, possibly bound for Manila.

A contract to make extensive repairs to buildings on Quarantine Island has been let to Peter High. The cabin passenger, and the hospital building will be completely renovated.

The British steamer Claverling of the China Mutual Steam Navigation Co. is due at this port from the Orient on Friday or Saturday. She carries freight and several passengers for this port.

The ship Clarence S. Bement arrived at Delaware Breakwater on Monday after a long voyage of 142 days from Honolulu. She left here February 21 with 52,489 bags of Castile and Cooke sugar.

The next mail from the coast is due here on the China on Monday. Should the Peking take the Chinias place, she probably would not make port before Tuesday afternoon or Wednesday morning.

The barkentine Edward May arrived from San Francisco yesterday afternoon. She reports a pleasant trip of thirteen days and sighted nothing during the voyage. The May is consigned to Alexander and Baldwin.

Furrier Simerson reports as follows: The barkentine Puako is still discharging coal at Makawili. She had 725 tons out. The Robert R. Hind finished discharging coal at Eleale yesterday and will load sugar this morning. The steamer Ke An Hou was at Kailihwai discharging. Fine weather on Kauai. Smooth sea and soft N. E. winds crossing the channel both ways.

The Lehua arrived from Molokai early yesterday morning with 64 bales of wool from the Molokai ranch. The Lehua discharged it into the Alameda. She also brought down 251 sheep and some hides. At Halawa the Lehua picked up the boat's crew which she had to leave there a week ago as it was impossible to land on account of the wet weather. The boat will be brought down later.

The schooner Lady will probably sail for the other side of the Island this afternoon.

## WHAT THE LEGISLATURE DID FOR THE MERCHANTS

Passed Many Laws To Aid In Collecting Accounts.  
 A Vote of Thanks Given To Representatives Harris and Andrade.

The result of the efforts of the Merchants' Association in securing desirable legislation from the last legislature was detailed in a report made by E. A. McNerny for the Committee on Public Affairs at a meeting of the association yesterday. At the conclusion of the meeting a resolution of thanks was unanimously adopted in appreciation of the tireless efforts of Representatives W. W. Harris and Frank Andrade on behalf of the association.

The report was as follows:

Geo. W. Smith Esq., President Merchants' Association.

Dear Sir:—Your Committee on Public Affairs appointed beg leave to report as follows:

The first work presented to your committee which called for immediate action was the proposal under County Government to re-establish the old system of levying license on the merchants of the Territory both wholesale and retail. As the business interests of the country are already taxed in other ways for all they can stand, your committee felt it incumbent on them to combat this proposition with all the vigor possible. An interview was sought and obtained with the Republican Central Committee in caucus, with the members elect to the Legislature and the views of your committee were fully and freely expressed as opposed to any such license. We were aided in this protest by Mr. F. W. Macfarlane and Mr. M. A. Gonsalves and others, who protested vigorously against any such enactment. It was urged that the burden already carried by the business men was all they could bear, and that a license for the privilege to do business was unfair and contrary to the custom in vogue in the large cities of the mainland, except such business which called for and required police supervision. It was represented that it was unfair to license those doing business locally while commercial men from the mainland had free access to our markets without taxes or expenses of any kind.

We represented that we were taxed on our real estate, our stock in trade, and a tax on our incomes. That we had to pay rents and clerk hire. That we had to meet the demands of charity and other subscriptions, and that commercial concerns of the mainland were under-selling us by the taxes imposed on us, they being absolutely free of any tax, income or otherwise.

We were listened to attentively and courteously, but the consensus of opinion was that a license of some sort should be imposed, not as a matter of revenue, but as a possible check to Oriental competition which was considered as, and is, serious. We were promised an opportunity to present our views before the legislative committees during the session, but apparently this promise was overlooked as we were never given an opportunity to appear, but through the individual efforts of your committee, the County bill was passed levying a license of the least objectionable nature, and which on the whole may be a benefit to the business men on the lines suggested already.

The law as it now stands reads that on the annual gross sales of less than Ten Thousand Dollars the fee shall be \$50.00. For sales exceeding \$10,000, and not more than \$100,000, the fee shall be \$100. For sales exceeding \$100,000 and not more than \$500,000, the fee shall be \$250, and for sales exceeding \$500,000, the fee shall be \$500. Your committee feels that in view of the evident determination of the law-making bodies to impose a license, the terms as outlined above are not as severe as they might have been, and we would urge that the efforts of the Association be continued looking to the eventual repeal of this tax, in conformity with the practice in vogue in the older and larger cities of the mainland.

## INCOME TAX.

Our efforts were next directed to the repeal or amendment of the Income Tax, a tax which, without doubt, is the most objectionable of any levied on the business and other interests of the community. Not that the business men of the Territory desire to shirk any just tax levied for the interests of the country, but because they object to the inquisitive and prying nature of the Income Tax law which is almost wholly paid by the business men whose books and accounts are arbitrarily opened for public inspection. It is notorious that a large percentage of those who should pay income tax escape because they claim to have no books and have no knowledge of what their income is while the burden is thrown on the business man who is easily accessible and is made to stand and deliver.

Your committee regrets to state that they have been unable to do anything, owing to the decision of the U. S. Court

of Appeals, against the appeal of citizens to repeal the Income Tax, and owing to the fact that a bill introduced at the present session of the legislature to repeal this Act, was summarily killed.

The next matter to engage our attention was the law providing for garnishee of salaries of government employees, which was rendered obsolete when the drawing of drafts was changed from the individual departments to the Auditor's office. A new law was drafted and in spite of vigorous opposition from members of the House was eventually passed exactly as drawn by your committee and is now in active operation, several hundred cases having already been passed upon and delinquents made to pay their just debts. In this connection it might be said that the government itself has taken advantage of this law, and has entered suits against many of its own employees to compel payment of taxes due.

We next took up the matter of garnishment of salaries of other than government employees, and succeeded in repealing the Act passed by the legislature of 1901, which practically exempted the average wage earner from suit of any sort.

As in the former case, we had drafted an amendment to the existing law, which met as in the other case with vigorous opposition from members of the House, but which was finally passed exactly as drawn and has already been put in operation in many cases, and will be of great value to the business community, where most of our business is done on the credit system.

Our next work was the drawing and presenting of a bill to facilitate the collection of debts due to persons resident on the other islands, which was finally passed as drawn, and when fully understood by the business men will be much appreciated. Formerly to prosecute a case against a resident of the other islands it was necessary for a qualified representative of a concern to appear personally in court bringing his proofs, which was generally of such an expensive nature as to preclude any suit at all. Under this new Act it is not necessary for the business man to leave his work, but suit can be brought against delinquents without any unusual expenditure of money.

Our last work was the securing of the passage of a law, providing for a tax or license on so called commercial travellers, who have hitherto been exempt and who have baffled all attempts to make them pay something for the privilege of doing business in the Territory. This law was copied from a Pennsylvania statute and has already been favorably passed upon by the Supreme Court of the United States. Space will not permit of a more extended explanation of these various enactments and for the guidance of the business men, your committee would request them to peruse Act 48—To authorize district magistrates to issue commissions, etc., Act 52—Relating to the exemption of wages of persons working for wages, etc., Act 53—To facilitate the collection of debts from government beneficiaries, Act 58—Relating to foreign corporations doing business in the Territory, etc.

In conclusion your committee would say that these several enactments were passed in the face of extraordinary opposition and solely through the energetic efforts of Representatives Frank Andrade and Wm. W. Harris, and that we believe it meet and right that the thanks of this Association be extended to these gentlemen for their able and valuable services.

Respectfully submitted,

E. A. McNERNY,  
 For Committee.

DYSENTERY causes the death of more people than small pox and yellow fever combined. In an army it is dreaded more than a battle. It requires prompt and effective treatment. Chamberlain's Colic, Cholera, and Diarrhoea Remedy has been used in nine epidemics of dysentery in the United States with perfect success, and has cured the most malignant cases both of children and adults, and under the most trying conditions. Every household should have a bottle at hand. Get it today. It may save a life. All Dealers and Druggists sell it. Remson, Smith & Co., Ltd., Agents for Hawaii.

## REAL ESTATE TRANSACTIONS

Recorded July 3.

A. Herbert & wf to Alex Young; D; Ap 2 of R P 6888 Kailhi, Honolulu, Oahu; Ap 3 of R P 515 Kailhi, Honolulu, Oahu; \$10,500. B 249, p 310. Dated June 30, 1903.  
 A. Herbert & wf to Alex Young; D; Int in Ap 1 of Kul 1519 Kailhi, Honolulu, Oahu; \$1. B 249, p 312. Dated June 30, 1903.

Recorded July 6.

Malle Akana to Alau et al; D; 10657 sq t land Volcano Road, Hilo, Hawaii; \$100. B 250, p 98. Dated June 2, 1903.  
 H. Maa & hsb to M. Vieira; D; R P 1353 Honolulu, Hilo, Hawaii; \$50. B 250, p 97. Dated Aug 15, 1902.  
 D. K. Hookano to J. Vieira; D; por R P 7707 Nanea, N. Hilo, Hawaii; \$100. B 250, p 98. Dated June 2, 1903.  
 Est of B P Bishop by Trs to Territory of Hawaii; D; 944-1000 A land, Kapaekapa Tract, Honolulu, Oahu; \$148. B 249, p 312. Dated May 13, 1903.  
 H. Bannister & hsb to Mary N. Lucas; D; Int in Lands Leaseholds etc, Kailhi etc, Kauai; \$2,500. B 249, p 314. Dated May 18, 1903.  
 W. M. Campbell by Trs to Chas. A. Bon; D; por of lots 23 & 24, Pawaa Tract, Honolulu, Oahu; \$750 and mtg \$2,500. B 249, p 316. Dated Apr. 11, 1903.  
 Maria G. Affonso by Atty of Mtgee to Mary Cowan; D; Gr 1752 Hlanaloli, N. Kona, Hawaii; \$1,500. B 249, p 318. Dated June 2, 1903.  
 Sun Sing Lee Co to  
 Co P D; Buying & Selling Fish, Salt etc, Kailhi-kai, Honolulu, Oahu; Capital Stock \$5,250. B 245, p 457. Dated Sept 16, 1902.  
 A. M. Cook & hsb to Chas. R. Dement; D; Lots 11 & 12 Mokanae, Waikeae Tract, Honolulu, Oahu; \$800. B 249, p 320. Dated July 1, 1903.

Recorded July 7.

Jno Walker & wf to A. Nelson; D; por Lot 3 Blk 3 Puunui Tract, Honolulu, Oahu; \$900. B 250, p 99. Dated July 6, 1903.  
 J. W. Kahunaaina & wf to L. Iona (w); D; 5 A land in Ahp Honokaa, S. Kona, Hawaii; 3 A land in Ahp Pahoehe, S. Kona, Hawaii; 3 Cattle & 1 Donkey, S. Kona, Hawaii; \$100. B 250, p 100. Dated Feb — 1893.  
 Kikimo & wf to Mrs. I. K. Milika; D; Int in por of Kul 9719 Honokaa, S. Kona, Hawaii; \$20. B 250, p 101. Dated Aug 1, 1902.  
 R. A. Carille & wf to P. M. Lansdale; D; por Lot 542 Gr 3572 Kulaokahua, Honolulu, Oahu; \$1 and mtg \$1,500. B 250, p 102. Dated June 17, 1903.  
 L. Makawahine (k) to Mrs. E. K. Goo Kim; D; 16 94-100 A in Gr 2574 Wala-hoi, Kaupo, Maui; \$150. B 250, p 103. Dated July 3, 1903.

Recorded July 8.

Pelani (w) to P. Muir (w); D; R P's 1281 & 863 etc, Waikeae, Ewa, Oahu; \$1 etc. B 249, p 321. Dated June 27, 1903.  
 Mrs. P. Muir to Pelani (w); Life D; Residence on pos land and 1/4 income of same, Waikeae, Ewa, Oahu; \$1 etc. B 249, p 322. Dated June 27, 1903.

## Sugar, Electric and Mining Machinery For Sale

One Quadruple Yar Yan EVAPORATOR.  
 One VACUUM PAN. 7 feet diameter, 8 feet deep.  
 One CORLISS ENGINE. 18"x12".  
 Five 500-gallon Brass CLARIFIER COILS.  
 One 60 H P Edison Bipolar 500 VOLT GENERATOR.  
 One 50 H P Port Wayne DIRECT CURRENT MOTOR.  
 One 50 H P ELECTRIC LOCOMOTIVE.  
 8,500 feet (3,013 lbs.) No. 0 COPPER WIRE with hangers, insulators, etc.  
 One 10x12 Fly Wheel AIR COMPRESSOR.  
 Four Sullivan ROCK DRILLS.  
 Two Double ROCK DRILLS.  
 Two American Pump Co 6x3x12 direct acting AIR COMPRESSORS.  
 Two Speed Regulating PUMP GOVERNORS.  
 One 36 inch VENTILATING FAN.  
 Two W. I. LIGHT WEIGHT PULLEYS 65 in diameter, 12 1/2" face.  
 One 11 H P Union GASOLINE ENGINE with 6 inch CENTRIFUGAL PUMP.  
 One Hercules GASOLINE HOIST with double Engine, 7 1/2 inch Cylinder, 9 inch Stroke.  
 One Duplex Worthington CIRCULATING PUMP.  
 One T. C. Austin ROCK CRUSHER.  
 One Aveling & Porter TRACTION ENGINE.  
 One 10 Tons FOWLER CULTIVATOR.  
 One Fowler STEAM SCOOP and spares.

For further particulars and prices apply to

Theo. H. Davies & Co.  
 Limited

## BY AUTHORITY

TERRITORY OF HAWAII.

Treasurer's office, Honolulu, Oahu.  
 In re Dissolution of the Wolters Waldron Company, Limited.  
 Whereas, the Wolters Waldron Company, Limited, a corporation established and existing under and by virtue of the laws of the Territory of Hawaii, has pursuant to law in such cases made, and provided, duly filed in this office, a petition for the dissolution of the said corporation, together with a certificate thereto annexed as required by law.  
 Now, therefore, notice is hereby given to any and all persons that have been or are now interested in any man-

ner whatsoever in the said corporation, that objections to the granting of the said petition must be filed in this office on or before the 28th day of September and that any person or persons desiring to be heard thereon must be in attendance at the office of the undersigned, in the Capitol Building, Honolulu, at 12 o'clock of said day, to show cause, if any, why said petition should not be granted.

A. N. KEOPOKAI,  
 Treasurer Territory of Hawaii.  
 Honolulu, July 11th, 1903.  
 2504-40 Sept. 26th.

## FORECLOSURES

## MORTGAGEE'S NOTICE OF INTENTION TO FORECLOSE AND OF SALE.

Notice is hereby given that pursuant to the power of sale contained in that certain mortgage dated December 20, 1900, made by Louis M. McKeague and Alla Akai McKeague, wife of said Louis M. McKeague, both of Honolulu, Island of Oahu, Territory of Hawaii, Mortgages, to J. W. Leonhart, of Paunaloa, Island of Hawaii, Territory aforesaid, Mortgagee, and recorded in the Registry Office, Oahu, in Liber 213, pages 439 to 442, the mortgagee intends to foreclose said mortgage for condition broken, to-wit: the non-payment of principal and interest when due.  
 Notice is likewise given that the property conveyed by said mortgage will be sold at public auction at the auction rooms of James F. Morgan, Queen street, Honolulu, on Saturday, the 8th day of August, 1903, at 12 o'clock noon.  
 The property covered by said mortgage consists of:

All those certain lots or tracts of land situate at Kapahulu, in said Honolulu, and described as follows:  
 First: Lots 18 and 19 of Block 6A of Lot 31, said Lot 31 being a portion of Apana 32 of Land Commission Award 8559B; being the same premises conveyed to said Louis M. McKeague by deeds of Wm. L. Peterson, dated respectively, July 17, 1900, and August 1, 1900, and recorded in the Register Office, Oahu, in Liber 208, page 346 and Liber 209, page 347 respectively; and  
 Also: Lots 9 and 10 of Block 5A of said Lot 31, being the same premises conveyed to said Louis M. McKeague by deed of C. S. Martin, dated December 18, 1900, and recorded in said Register Office in Liber —, page —.  
 Also: Lot 8 of Block F, of Lot 33 of said Apana 32, Land Commissioners' Award 8559B; being the same premises conveyed to said L. M. McKeague by deed of Paul Muhlendorf, dated April 16, 1898, and recorded in said Register Office in Liber 189, page 40.  
 Second: Lots 10 and 11 of said Block 6A of said Lot 31; being the same premises conveyed to said Alla Akai by deed of C. Winam, dated June 3, 1899, and recorded in said Register Office in Liber 200, page 121. Together with all the rights, easements, privileges and appurtenances thereto belonging.

Terms: United States Gold Coin. Deeds at the expense of the purchaser.  
 For further particulars apply to William O. Smith, Judd Building, Honolulu.

Dated Honolulu, July 9, 1903.  
 J. W. LEONHART,  
 Mortgagee.  
 By his attorney-in-fact,  
 W. O. Smith.

## MORTGAGEE'S NOTICE OF INTENTION TO FORECLOSE AND OF FORECLOSURE SALE.

In accordance with the provisions of a certain mortgage made by Kahala (w) and Kuahili (k), to L. Ahlo, dated May 6, 1899, recorded in Liber 132, page 241, now held by A. N. Campbell, Trustee, as assignee, notice is hereby given that the mortgagee intends to foreclose the same for condition broken, to-wit: non-payment of interest and principal when due.

Notice is likewise given that after the expiration of three weeks from the date of this notice, the property covered by said mortgage will be advertised for sale at public auction, at the auction rooms of Jas. F. Morgan, in Honolulu, on Saturday, the 25th day of July, 1903, at 12 noon of said day.

Further particulars can be had of W. R. Castle, attorney for mortgagee. Dated Honolulu, June 30, 1903.  
 A. N. CAMPBELL,  
 Assignee.

The premises covered by said mortgage consist of:  
 All those pieces or parcels of land situated in Kumuale, Paala, being two apanas described in R. P. 903, L. C. A. 2859 B, containing an area of 1 3/4-100 acres; also two pieces or parcels of land in Royal Patent 833, L. C. A. 2887, containing an area of 81-100 acres.  
 2500—July 8, 10, 17, 24.

## MORTGAGEE'S NOTICE OF INTENTION TO FORECLOSE AND OF FORECLOSURE SALE.

In accordance with the provisions of a certain mortgage made by Luis Vasconcellos to George Clark, dated January 15, 1898, recorded in Liber 179, Page 42, now held by Western and Hawaiian Investment Co., Ltd., as assignee, notice is hereby given that the mortgagee intends to foreclose the same for condition broken, to-wit: non-payment of interest and principal when due.

Notice is likewise given that after the expiration of three weeks from the date of this notice, the property covered by said mortgage will be advertised for sale at public auction, at the auction rooms of Jas. F. Morgan, in Honolulu, on Saturday, the 1st day of August, 1903, at 12 noon of said day.

Further particulars can be had of W. R. Castle, attorney for mortgagee. Dated Honolulu, July 10, 1903.  
 WESTERN AND HAWAIIAN INVESTMENT CO., LTD.,  
 Assignee.

The premises covered by said mortgage consist of:  
 1. A lot containing 8.75 acres situate in Kapalaalea, in North Kona, being a portion of R. P. (Grant) 2018.  
 2. A lot of 4 acres in Kahului I, in North Kona, being a portion of Royal Patent (Grant) 882.  
 3. A lot of 2.75 acres in Kapalaalea being the premises set forth in Royal Patent 2788.  
 2505—July 10, 17, 24, 31.